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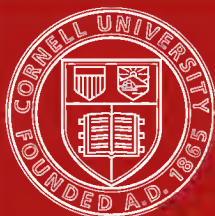
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A vindication of the claim of Alexander



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Who Wrote  
ROCK ME TO SLEEP?

Presented  
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Mr. J. W. Lawrence  
Ipswich Dec 15<sup>th</sup> 1901





## PREFACE.

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The two accompanying articles discuss a question of interest to the public, but of far deeper interest to Mr. Ball and his friends. The claim made by Mrs. Akers, and the publication as her own, of six verses of his beautiful poem, "Rock me to Sleep," placed him in a situation of great embarrassment. For nearly ten years previous to such publication, he had from time to time read these verses, with the other nine of which the poem is composed, to his many friends, as his own composition. They had often been commented upon, admired and enjoyed. He sought no reputation as a poet. He had never published a verse, or permitted it to be published by his friends. He sought no honors from an admiring public. He neither wished his name blazoned in the public press, or his works offered for sale at the booksellers' stalls. He found his happiness in the refined enjoyments of his interesting and cultivated family circle, and in the society of his many friends, who were attracted by the varied charms of his home, and his own most remarkably genial and generous nature.

He was little solicitous in regard to the injury to his literary reputation, but he felt keenly the imputation upon his honor. And yet he was most

reluctant to appear before the public to vindicate his claim to the authorship of the Poem. His delicate, sensitive nature shrank from the controversy, and all the more so as it must be waged not only with a lady, but with one who had already gained an enviable reputation by her poetic efforts. With the most ample materials within his reach for the perfect vindication of his claim, he was reluctant to enter the arena and make the necessary exposure.

But the course to be pursued in the premises was not left entirely to the decision of Mr. Ball. His friends, having not only the most perfect confidence in his integrity, but knowing also that there was the most abundant and conclusive evidence to establish his claim to the authorship, determined that it should be vindicated.

Fortunately that labor of love fell into the hands of the Hon. O. A. Morse, of Cherry Valley. Both his cultivation and his tastes peculiarly fitted him for the work. The evidences of his cultivated, poetic nature, and of his large legal experience abound throughout the pamphlet. It is classical, logical, and overwhelmingly conclusive and unanswerable.

This vindication appeared in the Spring of 1867, with an introduction by Mr. Luther R. Marsh, of New York, a gentleman whose tastes and studies were similar to those of Mr. Morse. While it brought out a number of light and flippant articles from the friends of Mrs. Akers, which appeared from time to time in the papers, no serious attempt

was made to answer it, still less to contradict the facts therein so fully established.

But in the following Summer Mrs. Akers felt constrained to write the most unfortunate letter of her life, found on the third and fourth pages of the Second Article ; and this elicited from Mr. Ball the two letters which follow it.

No further reply has ever been received from Mrs. Akers. No suit has ever been commenced against Mr. Ball or Mr. Dodd to settle the question on proper evidence before a legal tribunal. Mrs. Akers has never since been heard from either by a reply to the letters, by suit, or in the public prints.

In the minds of all unprejudiced persons, these facts will forever settle the question of authorship.

But to make the vindication complete before the world, it was necessary that the additional testimony, especially the letter of the Hon. Geo. W. Wright and the above mentioned correspondence, should be made public.

Another friend of Mr. Ball not only volunteered his services, but begged the privilege of writing a reply to what had been published in behalf of Mrs. Akers and of producing the new proofs, together with the correspondence between her and Mr. Ball.

This article appeared in the number of the Northern Monthly for the month of March, 1868. It was exhaustive and unanswerable. Two years have since elapsed, and no reply has

been attempted. Whoever reads the article will need no assurances that none ever will be.

Nothing therefore remains to be done but to perpetuate the evidence of this vindication—to put these articles in a permanent form, and within reach of all who in future years may take an interest in the question at issue.

As one of Mr. Ball's many friends and admirers—as one who admires him both as a poet and as a man, I have, without his knowledge or request, assumed to myself this humble duty. It is a feeble tribute which I gratefully and with pleasure pay to his refined poetic tastes—his honor as a gentleman, and his integrity as a man.

E. W. LEAVENWORTH.

SYRACUSE, March 1st, 1870.



*Who Wrote*

ROCK ME TO SLEEP?



A

(WB)

VINDICATION

OF THE

CLAIM OF ALEXANDER M. W. BALL,

OF ELIZABETH, N. J.,

TO

THE AUTHORSHIP OF THE POEM,

Rock me to Sleep, Mother.

BY O. A. MORSE,

*Of Cherry Valley, N. Y.*

WITH AN INTRODUCTORY NOTE FROM  
LUTHER R. MARSH.



NEW YORK :  
M. W. DODD, 506 BROADWAY.  
1867.

Entered according to Act of Congress in the year 1867,  
By M. W. DODD,  
In the Clerk's Office of the District Court of the United States,  
for the Southern District of New York.



## INTRODUCTORY NOTE.

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NEW YORK, *February* 15, 1867.

*My dear Sir :*

I do not yet see, in print, the article which you permitted me to read in manuscript, vindicating the claim of our friend Mr. Ball, to the authorship of the poem, which has found lodgment in the public favor, "Rock me to sleep." I hope the friendship which caused you to write it will not cool, ere you consummate the defense by giving it to type. So many emulous pens claim the lines, and one especially asserts with such earnestness, and help of publishers, its right to appropriate them, that the real author is in danger of losing his offspring ; and, soon, nothing short of a writ of *habeas corpus* and judgment thereon, will restore to the father the

custody of his own child. Indeed already, he stands in an equivocal position in the estimation of those who are unacquainted with him, and who are less familiar with the facts than we are. Through the zeal of his friends, his claim to the poem has acquired such publicity, that he is now driven to the alternative of defending his right, or hereafter remaining clouded with the suspicion of having put forth unfounded pretensions. A man's duty to himself and family sometimes calls on him to wage a contest he would else shrink from and abandon. These considerations, in a great measure, have been overcome in him, by a chivalric forbearance towards his chief contestant, and she would have walked, mistress, over the field, had not you, whose leisure permitted, whose tendencies are in the way of such an investigation, and whose character gives voucher for every statement of fact, undertaken of your own accord, unsolicited by him, the arranging of some of the prominent proofs in his behalf.

As I remember your article, there were

some classes of evidence which you did not deem it necessary to invoke, such as the domestic testimonies — the absolute declarations of wife and children as to dates and facts — and other cumulative proof; but enough was presented, I thought, to settle the question of authorship, and to illustrate a very curious phenomenon in literature.

Cordially Yours,

LUTHER R. MARSH.

Hon. OLIVER A. MORSE,  
*Cherry Valley.*





## VINDICATION.

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Many lovers of lyric poetry, for a few years past, have been delighted with a poem, which is really a fragment of a poem, whose burden is "Rock me to sleep, mother." This fragment has been floating in the newspapers under the *nom de plume* of Florence Percy, and likewise has been published as a song set to music. The power and tenderness of feeling evinced in it, the harmoniousness and elegance of its versification, and the deep sweet flow of its sentiment render it popular and admired by all classes of readers. The whole poem may be ranked among the gems of American literature, nor is it perhaps too much to say, that as a plaintive refrain of filial love, it is not surpassed in our language. The lines of Cowper to his mother's picture awaken the same emotions, but in a less degree than these exquisite

verses, and certainly are inferior to them, as a longing and a cry that cannot be suppressed, for converse with the spirit of a beloved departed mother. It may be a question, whether in Cowper's day, the spiritual atmosphere of England was not such, as to render impossible, even to the most refined and acute souls, any such vivid recognition and perception of beloved beings in the other world, as is manifested in these lines.

A controversy has arisen respecting the authorship of this production, which promises to make a curious item in literary history. The six verses of the poem which have been in the newspapers and set to music, are claimed by various persons, and on the 13th of June 1865, a note, of which the following is a copy, was published in the *New York Evening Post*:

#### LITERARY MISAPPROPRIATION.

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To the Editor of the *Evening Post*.

Please allow me sufficient space in your columns for a few words concerning a little poem entitled, "Rock me to sleep," which unwisely enough, as it has proved, I wrote and published five years ago, the authorship of which, by some queer freak of taste, has been repeatedly claimed

by eight or ten persons, not one of whom ever saw the poem until it appeared in print.

I am certainly one of the last individuals in the world to take the humiliating position of contending in public or otherwise, for a matter of literary credit; and so long as this question was merely that of ability to write the poem in dispute it was simply amusing to me.

But when it assumes, as it has latterly done, the attitude of a slander, liable to set me wrong in the opinion of many whose regard is dearer to me than any newspaper praise could be. When I hear myself good naturedly designated in society, as the lady who pretends to have written, etc., it is high time to state the facts.

I certainly wrote the song in question, and sent it from Italy in May, 1860, to the *Philadelphia Saturday Evening Post*, in which it immediately appeared, with the signature of "Florence Percy," a name which I mistakenly adopted when a school girl.

I remember laughing heartily at an enthusiastic friend of mine, who, reading for the hundredth time, as only he could read, Bulwer's sweet little lyric commencing

"When stars are in the quiet skies,  
 "Then most I pine for thee :  
 "Bend on me then thy tender eyes,  
 "As stars look on the sea "

remarked gravely, "I wish I had written that song;" and he continued, holding the book at arm's length, and looking at the print with loving eyes, "I believe I should have done it if Bulwer had let it alone."

Accepting this as a probability, I can but regret that I wrote the unhappy poem, herein designated, believing

as I must believe that every one of its claimants would have written it in due time, and doubtless more perfectly if "I had let it alone."

Very respectfully,

ELIZABETH A. C. AKERS.

WASHINGTON CITY, D. C., *June*, 1865.

In a volume of poems published for Mrs. Akers by Messrs. Ticknor and Fields, in 1866, these six verses are included. Consequent on the publication of this card, and this volume, remarks and insinuations have been made, both in public prints and in private circles, respecting the author of the whole poem of such a character, as to demand some response from him or his friends. The writer of these pages is one of those friends, and while he does not profess any special qualification for his volunteered championship, he does profess to be actuated by an honest intention that the truth shall be made plain. The whole poem, of fifteen verses, of eight lines each, was written by Alexander M. W. Ball, of Elizabeth, New Jersey, in the latter part of the year 1856, and the early part of the year 1857. It is as follows, and as a whole has never before been in print.



## ROCK ME TO SLEEP, MOTHER.

---

I.

Backward, flow backward, oh full tide of years,  
I am so weary of toils and of tears —  
Toil without recompense — tears all in vain,  
Take them, and give me my childhood again.  
I have grown weary of dust and decay —  
Weary of flinging my heart's wealth away :  
Weary of sowing for others to reap,  
Rock me to sleep, mother, rock me to sleep.

## II.

Hushed be my sighing, I see through the mist  
Loved ones that cheer me, and silently list :  
Hark ! tis the hymning of angelic song,  
Joyfully leading my sad heart along,

Treading the grass that now weeps on your grave,  
 Let me in spirit your sweet presence crave :  
 This will now cheer me, no more will I weep,  
 Rock me to sleep, mother, rock me to sleep.

## III.

Clouded and sabled, there come with my age  
 Records of sadness, to soil the fair page.  
 Footprints of sorrow to blot it all o'er,  
 Thinking of those on the echoless shore.  
 Only, I see you look down on me now,  
 While humbly kneeling, at his cross I bow :  
 Come then and dry up the tears I must weep,  
 Rock me to sleep, mother, rock me to sleep.

## IV.

As stars in the day are concealed by the light,  
 And darkness unveils them alone to the sight,  
 So sleeping I see you, unseen when awake,  
 And welcome thrice welcome is sleep for your sake :

Soft are my slumbers, a glory of beams,  
 Announcing your coming, illumines my dreams :  
 Visit me nightly, and when I would weep,  
 Rock me to sleep, mother, rock me to sleep.

## V.

Backward, turn backward, then time in your flight,  
 Make me a child again just for to-night,  
 Mother, come back from the echoless shore,  
 Take me again to your heart as of yore,  
 Kiss from my forehead the furrows of care,  
 Smooth the few silver threads out of my hair ;  
 Over my slumbers your loving watch keep,  
 Rock me to sleep, mother, rock me to sleep.

## VI.

Over my heart in bright days that are flown,  
 No love like mother love ever has shone,  
 No other worship abides and endures,  
 Faithful, unselfish, and patient like yours ;

None like a mother can charm away pain  
From the sick soul and the world weary brain,  
Slumber's soft calms o'er my heavy lids creep,  
Rock me to sleep, mother, rock me to sleep.

## VII.

Tired of the hollow, the base, the untrue,  
Mother, dear mother, my heart calls for you,  
Mary a summer the grass has grown green,  
Blossomed and faded our faces between.  
Yet with strong yearning and passionate pain,  
Long I to-night for your presence again;  
Come from the silence, so long and so deep,  
Rock me to sleep, mother, rock me to sleep.

## VIII.

Mother, dear mother, the days have been long,  
Since I last hushed to your lullaby song;  
Sing it, and unto my soul it shall seem,  
Manhood's long years have been only a dream.

Clasped to your heart, in a loving embrace,  
 With your light lashes just sweeping my face :  
 Never hereafter to sigh or to weep,  
 Rock me to sleep, mother, rock me to sleep.

## IX.

Come, let your brown hair, just lighted with gold  
 Fall on your shoulders again as of old —  
 Let it fall over my forehead to-night,  
 Shading my faint eyes away from the light :  
 For with its sunny-edged shadows once more  
 Fondly will throng the sweet visions of yore,  
 Lovingly, softly, its charmed billows sweep —  
 Rock me to sleep, mother, rock me to sleep.

## X.

Angelic mother, now tenderly smile,  
 While the fond seraphs my soul shall beguile ;  
 Shed o'er my pathway the spirit world's light  
 To guide and to cheer me, all through the night.

I have grown weary of life's changing tide,  
Weary of striving my great sins to hide ;  
Weary of climbing life's hill side so steep —  
Rock me to sleep, mother, rock me to sleep.

## XI.

Tired of earth's mockery, and the world's strife,  
Tired of the penances paid for this life —  
Growing more weary of heartless display —  
Weary of world's night, I long for the day —  
Let then your spirit encompass me now,  
While on your bosom in silence I bow,  
Tenderly watching my thoughts as they sweep,  
Rock me to sleep, mother, rock me to sleep.

## XII.

Thought cannot linger around the cold tomb,  
Sweet spirit faces will break through its gloom,  
And when I wipe the fresh tear drops away,  
Clouds turn to brightness, and roseate day

Breaks on my vision, then smiling again  
 Peace spreads her gentle wings softly to reign,  
 Voices celestial forbid me to weep,  
 Rock me to sleep, mother, rock me to sleep.

## XIII.

Stilled are my tumults, I see in the sky  
 Loved ones whose splendors have drowned every sigh,  
 Faces familiar of friends here no more,  
 Fairer and fonder than ever before —  
 Glorified figures that stoop to caress,  
 Mighty to comfort, and mighty to bless —  
 Bright is the vision — no more can I weep,  
 Rock me to sleep, mother, rock me to sleep.

## XIV.

Rock me to sleep, mother, rock me to rest;  
 Calmed with your smiling the storm in my breast,  
 Stilled are the sorrows you come to allay;  
 Teach me again as of old how to pray —

Contentions without, contentions within,  
Battlings with doubt, and temptation, and sin,  
Ceased with your presence, I cannot now weep,  
Rock me to sleep, mother, rock me to sleep.

## XV.

Thus with my loved ones I'll watch by your side,  
Nor weep once again, whatever betide,  
Waiting all calmly the coming of those  
Holding the signet of death's cold repose; —  
Farewell to sorrow — farewell to all ill —  
Whispers are stealing, sad heart be now still,—  
With my dear mother, kind watch I will keep,  
She charges the angels to rock me to sleep.

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The following verses are found in Mrs. Akers's volume :

### ROCK ME TO SLEEP.

---

Backward, turn backward, O time in your flight,  
 Make me a child again just for to-night !  
 Mother, come back from the echoless shore,  
 Take me again to your heart as of yore ;  
 Kiss from my forehead the furrows of care,  
 Smooth the few silver threads out of my hair ;  
 Over my slumbers your loving watch keep ;  
 Rock me to sleep, mother, rock me to sleep !

Backward, flow backward, O tide of the years !  
 I am so weary of toil and of tears,  
 Toil without recompense, tears all in vain,  
 Take them, and give me my childhood again ;  
 I have grown weary of dust and decay,  
 Weary of flinging my soul-wealth away ;  
 Weary of sowing for others to reap ;  
 Rock me to sleep, mother, rock me to sleep !

Tired of the hollow, the base, the untrue,  
 Mother, O mother, my heart calls for you !  
 Many a summer the grass has grown green,  
 Blossomed and faded, our faces between :  
 Yet, with strong yearning and passionate pain,  
 Long I to-night for your presence, again.  
 Come from the silence so long and so deep ;  
 Rock me to sleep, mother, rock me to sleep !

Over my heart, in the days that are flown,  
 No love like mother-love ever has shone;  
 No other worship abides and endures,  
 Faithful, unselfish, and patient like yours:  
 None like a mother can charm away pain  
 From the sick soul and the world weary brain,  
 Slumber's soft calms o'er my heavy lids creep,  
 Rock me to sleep, mother, rock me to sleep!

Come let your brown hair just lighted with gold,  
 Fall on your shoulders again as of old;  
 Let it drop over my forehead to-night,  
 Shading my faint eyes away from the light;  
 For with its sunny-edged shadows once more  
 Haply will throng the sweet visions of yore:  
 Lovingly, softly, its bright billows sweep;  
 Rock me to sleep, mother, rock me to sleep!

Mother, dear mother, the years have been long  
 Since I last listened your lullaby song;  
 Sing, then, and unto my soul it shall seem  
 Womanhood's years have been only a dream.  
 Clapsed to your heart in a loving embrace,  
 With your light lashes just sweeping my face,  
 Never hereafter to wake or to weep:  
 Rock me to sleep, mother, rock me to sleep!

Mrs Akers is an authoress favorably known to the public, whose writings have the *imprimatur* of the press of Ticknor and Fields. Mr Ball is a gentleman in private life, who has never published a line, and is unknown as a poet, except to his intimate friends. In the issue which is here

made between them, the lady therefore has the advantage in the fact, that before the public the presumption would be in her favor. Her publishers intimate that they rest her case on that ground; but whether they shall continue to do so will be a matter of more moment to her than to Mr Ball. The controversy has been forced on Mr Ball, or rather on his friends, for he has not even yet been willing to take much part in it. Several persons, who long have been familiar with the whole poem, as written by him, when they saw the authorship claimed by and accorded to another, on their own responsibility and without his knowledge, asserted in the newspapers that he was the veritable author. Although he was not known as a poet, his personal and social standing gave circulation, and more or less credit to this statement, and to his regret and chagrin he has found himself the subject of remark in the newspapers, sometimes of a most unpleasant character.\* He would have been willing that

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\* For instance in these two extracts, the first seems to give the name at which the slur towards the close of the latter is pointed.

*From the N. Y. Evening Gazette, Dec 31, 1866.*

The contest over the authorship of that singularly popular poem entitled "Rock me to sleep, mother" is still vigorously prosecuted by Mr. A. M.

Mrs. Akers or any one else, should have enjoyed all the credit that could be had from the poem ; but his friends feel, as Mrs. Akers's note expresses it, that when the matter assumes the attitude of a slander, it is high time the facts should be made known.

The question has been asked, who is Mr. Ball whose friends declare to be the author of one of the most beautiful poems of the day? If he has written this, it is said, he could write other things like it, and what else has he written? These

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W. Ball, of Elizabeth. Dr. Ripley, literary editor of the *Tribune*, and Dr. Coles, of Newark, author of *Microcosm*, who have interested themselves in the matter, both admit the justice of Mr. Ball's claims.

*From the N. Y. Evening Gazette, Jan 3, 1867.*

#### LITERARY LARCENIES.

There must be something in a literary reputation, or so many would not be striving to attain it by all sorts of means. There is a class of scribblers who wriggle themselves into momentary notoriety by puffery, and there is another class who impudently demand attention by claiming the authorship of productions which they could not under any circumstances have written. They generally fasten upon some striking poem which was published anonymously, or whose writer's name has been separated from it in its wanderings over land and sea, and make a manuscript copy, which they read to their friends, who, of course, are ready afterwards to testify that they saw the piece in manuscript, fresh from the brain of the author, before it found its way in print, with other little fanciful additions which they very honestly believe. Some of the most famous lyrics in the language have had their paternity disputed in this way. Among others, Wolfe's *Burial of Sir John Moore*, which a number of imaginative Celts endeavored to father upon themselves, and Campbell's *Exile of Erin*, which it is now pretended that he stole bodily, we believe from the traditinary exile himself, McCann, if that was his name. They are very active here, and at this time — these barefaced purloiners of reputation — snapping up any little waif that may come under their observation. Every-

would seem reasonable queries, and they shall be fully answered.

The natural division of the inquiry would be, first, could Mr. Ball have written the poem, that is, has he the ability to write it; and second, did he write it, and if so, when did he write it. Both of these points will be fully considered and illustrated, but in the inverse order in which they are stated.

In her note to the *Evening Post*, Mrs. Akers

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body remembers the young person of the softer sex, a Miss Peck, if we recall her name correctly, who said that 'twas she, and not Mr. William Allan Butler, who wrote *Nothing to Wear* which, of course, she had no means of proving beyond her mere assertion, which nobody was gallant enough to accept. A second instance of disputed authorship was ventilated a few months since in the *Round Table*, the thing in dispute then being a copy of verses entitled *The Long Ago*, and written by a Mr. Benjamin F. Taylor, of Chicago, who has had all sorts of hands grasping after his imaginary laurel, and rousing, through their friends, a mighty clamor for justice, which they richly deserved in the nearest literary pillory.

A third instance concerned the plaintive little lyric *Rock me to sleep, mother*, which was written by Florence Percy, otherwise Mrs Akers, formerly the widow of a sculptor of that name and now we believe a Mrs. Perry of somewhere in Virginia. We say that it was written by her since she has included it in the blue and gold edition of her poems which was published not long ago in Boston. This fact proves nothing to those who dispute her claims in behalf of themselves or others, but it settles the question as regards the general reader who has no interest in it beyond what he derives from the poetry. If an author of reputation says that he or she wrote such or such a poem, his or her word ought to end all controversy, particularly such controversies as are waged by persons of whom no one ever heard before or cares to hear again. It is time, it is more than time, that these cases of literary larceny were punished, for if allowed to flourish much longer unchecked no man can feel that his poem or his purse is safe. For he who begins by putting his name to a poem that he did not write may end by putting the name of another to one that he did, and find himself some fine morning in prison for forgery.

has made the exact issue between herself and all other claimants. Writing in June, 1865, she says she wrote and published the poem five years ago, and that not one of its claimants ever saw it till it appeared in print. So far then as she is concerned, the question will be settled, if the existence of the poem prior to 1860, can be established.

Mr. Ball wrote, or made the draft of the whole poem, except one verse, in the latter part of the year 1856. In February, 1857, he sailed for California, and on the steamers, on both oceans, he corrected and polished it, and added one verse. The following letters and facts are given as evidence of the truth of this statement.

The letters bear internal evidence of their authenticity, and will commend themselves to any intelligent reader as genuine and truthful. Some of the writers are ladies, and their names are not printed, as it is not anticipated that either the genuineness of the letters, or the good faith or intelligence of the writers will be questioned. But the names can be given, and the letters more fully authenticated, should there be any question about either.

POSTSCRIPT OF A LETTER TO MR. BALL, DATED  
BROOKLYN, APRIL 7, 1858.

P. S. — Will you please send me by the doctor, the lines on the fly leaf of the book which I presented to you, and also the other poem, which you read to me when I saw you last, entitled, “Rock me to sleep, mother.”

---

NEW YORK, *July 10*, 1866.

*My Dear Mr. Ball:*

In reply to your inquiry whether I remembered a certain visit to your house in Newark and the reading by you of “Rock me to sleep, mother,” I have to say that my recollection is most vivid of the whole affair. A projected visit by myself and Mrs. — was carried into execution. Upon our arriving, we found that Mrs. Ball had gone to Leroy to place her daughter at school, but at your urgent request we remained till her return.

It was before her return that one evening you read the disputed poem, and so distinct is my recollection of the circumstances, that the room and the positions occupied by all of us, are before me. It was a manuscript written upon note paper. That the authorship had been questioned I did not know until a paragraph in the *Evening Post* in this city announced that you were at last believed to be the rightful claimant.

I involuntarily remarked that I could have settled that long ago, for I had so many years since heard it from your own manuscript. That you should have been ques-

tioned in the matter is only additional proof of your too great modesty, which has thus far prevented many beautiful things you have written being published and thus establishing at once the authorship of what your many friends may justly be proud.

I am yours, truly,  
I. E. S.

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ITHACA, June 27, 1865.

*My dear Mr. Ball:*

\* \* \* \* \*

What I particularly intended to say when I commenced this sheet was, that I saw recently in the *N. Y. Evening Post*, a card from Mrs. Akers, in which she claims to have written and published in 1860, the poem "Rock me to sleep, mother." Now in the winter of 1856 or 1857, you read to me one evening in your study, your poem of "Rock me to sleep, mother." One verse of which commencing "Backward, flow backward," was at the time the subject of my criticism. You can fix the exact time by ascertaining which winter it was, that Mrs. Ball took Maria to Dr. Cox's, and placed her in the school in Leroy.

Had you acceded to the reiterated wishes of those of your friends whom you honored with the reading of some of your poetical effusions, to publish them, or at least give us copies of them, Mrs. Akers and some half score other ladies, would have been less bold in claiming the maternity of the poem in question. \* \* \*

Very sincerely your friend,

L. P.



A bill now before the writer rendered by the Principal of the Leroy school, at the beginning of Mr. Ball's daughter's first term, fixes the date called for by the writers of the above letters in February, 1857.

In fact, the draft of the poem was read to these two ladies at that time, just prior to Mr. Ball's sailing for California.

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ALBANY, *October 26, 1866.*

*My dear Mr. Ball :*

\* \* \* \* \*

In reference to that beautiful poem, "Rock me to sleep, mother," I am sorry that I cannot remember the exact date when I first heard it. I distinctly remember your reading it to me, and I know it was either in the year 1857 or 1858. I have heard it sung, and highly praised, and was happy to say, that I had the pleasure of knowing the author. \* \* \* \* \*

Your friend,  
H. D. E.

---

8 PINE ST., NEW YORK, *Oct. 25, 1866.*

*Dear Sir :*

Relative to the controversy *in re* the authorship of "Rock me to sleep, mother."

Sometime during the autumn of 1859, I think in the month of September, I called on business at your house in Newark. Mrs. Ball was absent—in Cherry Valley, I believe—at the time.

In course of our conversation, you said you had been writing a satirical poem, which—as I knew some of the parties—you read to me; and during the interview you also took from your desk other productions, among them that which you have read to me to day, bearing the above title.

I am able to fix the date by that of the paper which was the subject of our interview, and which I now have before me.

Yours respectfully,

J. BURROWS HYDE.

To A. M. W. BALL, ESQ.,  
*Elizabeth, N. J.*

---

NEWARK, N. J., *Jan. 11, 1867.*

*Dear Sir:*

In reply to your inquiry as to my recollection of your reading to me “Rock me to sleep, mother” (and which you have just now reread to me), I would say, that during the summer of 1857, I called on you at your house to ascertain where you purchased a set of damask window curtains, as I wanted to procure the same kind. During my visit you read me that poem with others. I was particularly struck with this one, as I had known your mother, and remarked on the justness of the sentiment referring to her. I am confirmed in my recollection

of the *time*, by finding that the curtains I purchased on your recommendation were charged to me in September of that year, and it took some time to procure them. My wife, to whom I have spoken on the subject, recollects the occasion as I do. I remember saying to you at your house, when you read me the poetry referred to, that if you had not published you ought to do so, and that as we were old friends, if you did not publish, and would make me your literary executor, I would see that the gift God had given you should be known hereafter if I outlived you.

I am,

Yours truly,

•  
LEWIS C. GROVER.

A. M. W. BALL, Esq.

•

Some of these letters were procured by Mr. Ball, and some voluntarily written to him, after the recent discussion concerning the authorship of the poem in the *Post*, *Tribune*, and other papers. A large amount of other proof of a like nature, could be given, and would be were there any question that the point, the existence of the poem prior to 1860, and as early as 1857, was not fully established. Do not these letters settle that with a certainty, to all intents, sufficient to convict of murder in any court in Christendom?

Evidence of Mr. Ball's authorship of an entirely different character, but equally conclusive, and perhaps more interesting, is now offered. This is found in the poem itself. It would seem that no criticism or argument could be needed to show that the same pen, the same inspiration which wrote the nine verses, which are now for the first time published, also wrote the other six. Mr. Ball's authorship as to the nine is not questioned, and do not the whole fifteen belong to the same one exquisite mosaic? Where else does this sweet verse belong, the first in the unpublished series, and does it not speak for him more convincingly than any dates and documents?

Hushed be my sighing, I see thro' the mist,  
 Loved ones that cheer me, and silently list,  
 Hark! 'tis the hymning of angelic song,  
 Joyfully leading my sad heart along.  
 Treading the grass that now weeps on your grave,  
 Let me in spirit your sweet presence crave;  
 This will now cheer me, no more will I weep,  
 Rock me to sleep, mother, rock me to sleep.

Will it be said that this and its fellow unpublished verses, are merely interpolations in, and imitations of Mrs. Akers and Messrs. Ticknor and Field's original? Let us then scrutinize the next in order of these parts, and see whether it be indeed a counterfeit, or whether in every word and breath it is not full of truth and beauty, and does not belong, by an obviousness higher than any logic can prove, to this garland which a loving son has placed on the grave of his mother.

Clouded and sabled there come with my age,  
 Records of sadness to soil the fair page,  
 Footprints of sorrow to blot it all o'er,  
 Thinking of those on the echoless shore.  
 Only I see you look down on me now,  
 While humbly kneeling at his cross I bow;  
 Come then, and dry up the tears I must weep,  
 Rock me to sleep, mother, rock me to sleep.

Who that can at all appreciate the beauty of this poem, is not conscious and convinced as he thus reads it, part by part, that it all came to one soul by one inspiration. The same sweet, tender

minor strain of plaintiveness and pathos, is breathed in every line and verse, from the half passionate outburst of the "Backward, flow backward," of the beginning, to the calm assured hopefulness of the end. To such a tribunal as from the nature of this case it must alone be presented before, it would seem that the most satisfactory guide to the truth will thus be found in the poem itself. Who that reads it all, as now first printed, can fail to recognize it as one entire thing? Mark how necessarily and with what effect, the renewed cry of "Backward, turn backward," on the opening of the fifth verse, follows the pathetic rehearsal of the experiences of life in the preceding verses, and how the lament of a soul over its pains and penances, in the eleventh, unpublished, verse, harmonizes both in language and spirit with the seventh, published, verse. Read again the last verse, and see what a natural, simple, and harmonious finale it is to the whole:

Thus with my loved ones, I'll watch by your side,  
 Nor weep once again whatever betide,  
 Waiting all calmly the coming of those,  
 Holding the signet of death's cold repose:

Farewell to sorrow, farewell to all ill,  
 Whispers are stealing, sad heart be still ;  
 With my dear mother kind watch I will keep,  
 She charges the angels to rock me to sleep.

Whatever may be the relative merit of these separate parts, are they not all in one strain, of one style, with the same beauties and same defects, running everywhere, though in a greater or less measure. The repetitions may by some be considered a defect, but on the theory that the whole had been lost by the author, the finder, if disposed to appropriate it, would naturally publish only those verses which did not so plainly repeat themselves, selecting what might seem the best. The very fact then of this peculiarity, or defect, if it is one, must be taken as proof that the whole is the work of one mind. When the wise Hebrew king was called on to judge in a case not wholly unlike this, he distinguished the true parent from the spurious, by the readiness of the latter to see her pretended offspring cut in twain ; and will not the public, guided by like wisdom, with the whole poem, the full creation, the born child, before them, pronounce that the verses published by

Mrs. Akers, though beautiful in themselves, are *disjecta membra*, and that therefore she could not have been the mother.

The following statement suggested by the poem itself, will surely be deemed appropriate and interesting. In the disputed verses it is said :

“Come let your brown hair just lighted with gold,”

And again :

“Kiss from my forehead the furrows of care,  
Smooth the few silver threads out of my hair.”

Though there is a large license granted to poets, particularly to professional poets, in such things, yet certainly the case of either party here will be helped, whose facts will accord with these expressions. This is a genuine poem, and came from the soul of the writer, whoever that writer was. It was not conceived, but felt. It did not arise from the brain, or fancy, but from the heart, or it would not find an answering chord in so many hearts. Can an instance be found of a poem of universal popularity, of this character, which did not spring from living reality, from the actual, not the ideal. Burns was a profes-



sional poet, but Highland Mary was a living maid. The mass of enduring poetry, of the plaintive cast, is a portraiture of the lives of the writers. Knowing what the instinctive judgment of most will be over the facts suggested by the above striking lines, the writer of this article states, that he has seen one of the ample tresses of the hair of his friend's mother, and that it is brown tinged with auburn, and that his friend's forehead is furrowed, and the silver threads in his hair not a few. As to the answering facts in the case of the fair claimant to a part of the lines, there is no evidence at hand, except so far as regards herself personally, but that surely must be considered satisfactory. Speaking as a widow, and it is understood that in the vicissitudes of her life, she has not long since been in that condition, she says (page 143 *Mrs. Akers's Poems*):

“ Ah me ! the red is yet upon my cheek,  
 And in my veins life's vigorous currents play ;  
*Adown my hair there shines no warning streak,*  
 And the sweet meeting which you paint to-day  
 Seems sadly far away.

The next evidence properly belongs here, though it would be more fairly appreciated, if read with what hereafter appears on the general topic of Mr. Ball's poetry.

For many years past, he has been in the habit every year of writing for his family a Christmas carol, and of reading it likewise to some of his many friends and guests, who during the holidays partake of the hospitality of his house. These carols are hastily and carelessly written, for the partial and uncritical few to whom they are read. Like all his verses they are spontaneous and unstudied, and express in the most unreserved manner, the sentiments of tenderness and love for his family, which seem to have peculiar power over him at the Christmas festival. The bringing them before the public gaze, is only permitted by the consideration, that they may serve to protect for his family, his honorable name, which is now so strangely assailed. Sacred as they are, they must yield to this still more sacred end. The writer of these remarks, while a guest at Mr. Ball's house this last Christmas, on hearing read the carol written by him for that occasion, requested to see some of the others, and was startled to find in

them what he regarded as having a very important bearing on the question under consideration. This evidence, thus accidentally discovered, must impress any one in a way that mere dates and certificates never can. In reading it, who will not be led to exclaim, *magna est veritas!* It consists of extracts, given below, from the carols of 1852 to 1856 inclusive. But the reader is especially desired to take notice, that these extracts are not given as specimens of Mr. Ball's poetry. They are offered, without any regard whatever to their merit or demerit as poetry, simply to show the invariable and inevitable quickening and longing of his soul, at this season of the year, after his beloved mother. It was about this time in the year, December, that the draft of the poem was made, and these extracts show, that at every Christmas for years prior to the poem, his love for his mother found utterance through his poetical faculty, till at last, in the carol for 1856, it was poured forth in the very language of the poem itself. The reader is again requested to bear in mind the disclaimer, that these extracts are not offered as specimens of his poetry. They are now published, for the purpose just stated, unpolished and unpruned, as they were first written for the momentary pleasure of his own fireside.

## CHRISTMAS 1852.

\*       \*       \*       \*       \*

Thro' the closed portals of the sky,  
     I see a ray descend,  
 That fills my heart with visions bright  
     Of *Mother*, brother, friend !  
 And shall we in this sacred place,  
     Meet round the Christmas tree  
 Nor seek the absent loved ones gone,  
     Nor *Mother* think of thee !

No, no, sweet scented is the air,  
     We breathe this Christmas day,  
 But sweeter, purer from the past,  
     Comes this thy hallowed ray ;  
 And memory brightens while we weep,  
     And feel that thou art near,  
 Part of our sunshine comes from thee,  
     Tho' now no longer here.

Thy memory rooted in our hearts,  
 Can never be effaced,  
 And with it now revive again,  
 Joys not to be erased.  
 Fond Mother ! while you now commune,  
 With him who followed you  
 So quickly to the spirit world,  
 Watch over us anew.

Time's reaper has not stopped to touch  
 Only the full blown rose,  
 But the sweet floweret felt his breath,  
 And sank in death's repose.  
 Dear Mother ! you have now with you,  
 Five of our little band,  
 How soon we all must follow on,  
 We dare not understand.

We feel thy happy spirit's breath,  
 Upon our cheek at night,  
 And waking, strain our opening eyes,  
 To watch its morning flight.

\* \* \* \* \*

## CHRISTMAS 1853.

\*       \*       \*       \*       \*

Then let us turn to days gone by,  
 Forgetting not another,  
 Whose face was brightest when we met,  
 It was our sainted mother.

She loved the day because it swelled  
 Her heart with pure emotion,  
 A household bound by silken ties,  
 And wrapped in love's devotion,  
 Made her more happy, and we caught  
 Our mother's gaze in gladness,  
 And from that fount of love there played,  
 A stream that drowned all sadness.

Fond Mother! can you see us now?  
 One only from the number,       ♀  
 That made your pleasant household up,  
 In yonder grave doth slumber;

We mourn you both, and could we speak  
 Your spirits back to meet us,  
 'Twould be the happiest Christmas day  
 That ere on earth could greet us.

\* \* \* \* \*

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# CHRISTMAS 1854.

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\* \* \* \* \*

First to the dead, we turn our humble lay,  
 To her that bore us would our spirits stray,  
 Dear Mother! now remembering thee we meet,  
 At the old homestead, our good sire to greet,  
 Thy gentle face, still smiling on the wall,  
 Endears that homestead, shedding on us all,  
 A cheerful flush of many a blissful hour,  
 Ere death's alarum made us feel its power.  
 Sweet spirit land, where many loved ones wait,  
 To welcome those still here without thy gate;  
 What joys exalt us when with raptured eye  
 Our thoughts exulting to thy regions fly,

For hovering spirits from thy mansions teach,  
 A reuniting when yon sphere we reach ;  
 Our wandering thoughts will penetrate thy mist,  
 As to sweet tones of melody we list,—  
 But oh ! how dark, how drear, how lone would seem  
 The brightest world of which we fondly dream,  
 If wandering lonely thro' its scenes we miss,  
 The father, mother, brother, wife of this ?

\* \* \* \* \*

---

### CHRISTMAS 1855.

\* \* \* \* \*

I hear a gentle murmur come spreading from the spheres,  
 A hallowed mist surrounds me, a long loved form appears,  
 All wreathed in joys and blessings, she takes her vacant  
     place,  
 And smiles upon the household, with her seraphic grace ;  
 It is our sainted mother come,———

\* \* \* \* \*



## CHRISTMAS 1856.

---

\*       \*       \*       \*       \*       \*

And as time rolls us backward, we feel inclined to weep,  
As the spirit of our mother comes, to rock our souls to  
sleep.

\*       \*       \*       \*       \*       \*

It raised my thoughts to heaven, and in converse with  
them there,  
I felt a joy unearthly, and lighter sat world's care ;  
For it opened up the vista of an echoless dim shore,  
Where my mother kindly greets me, as in good days of  
yore.

\*       \*       \*       \*       \*       \*

---

No comment can add to the force of this testimony. Mrs. Akers proclaims to the world that she wrote and published the lines in 1860, and that no one had read them till they appeared in

print; yet here we find some of the most striking and characteristic of those lines, almost verbatim, in a Christmas carol written by Mr. Ball in 1856. In addition to this hard fact, which cannot be gainsaid, these extracts answer a condition which might be required of the author of this poem, that, in his habitual thought, he should evince a marked tenderness over the memory of his mother. And who will not feel, as he sees written year after year, in these unstudied verses, such constant and unforgetting filial love, so remarkable in a middle aged man, that they were the product of a spirit which might be expected necessarily to blossom in this beautiful poem?

The next piece of evidence might be claimed alone of itself to be conclusive on the whole question. It is a part of the original draft of the poem which fortunately has been found. It bears the marks of an unpracticed and unprofessional writer. It shows his groping and feeling after words and phrases, his stumblings, failures and successes, and instead of the draft, might rather be called the material out of which the draft was made. It needs no comment to show, that it is in truth, the ultimate outline, rude and

ragged of the beautiful poem. No one can look at it in the original, and not be profoundly impressed, that it is a genuine thing. Not a writer on earth, and in such a matter many writers would be infallible experts, on inspecting this document, would hesitate as to where the truth lies.

Here is presented a copy, so far as can be done in type, of that part of the draft which has been preserved.

Backward flow backward oh flight of years *tide*

I am so weary of sighs and of tears *toils*

Sighs without recompense, Hopes all in vain, *toils tears*

Take them and make me a loved child again *give me my childhood*

I have grown weary of dust and decay

Weary of flinging my hearts wealth away

Weary of planting for others to reap *scwing*

Rock me to sleep mother rock me to sleep

Hushed be my soul for I see through the clouds *heart sighing mist*

A world of the In the silence I list *bright spirit world*

A Pacan of Joy comes floating along *Joyful sound*

And swells to an anthem of heavenly song *Swelling to hymnings of angelic song*

Forgetting the grave that holds your remains *grass that weeps o'er your grave*

In the bright world above in your presence I lave *far above in your presence I fain would I lave*

Henceforth this will calm me — I never will weep *'twill*

For I know my dear mother will rock me to sleep *I know now*

*there seems on each page*  
Clouded and sabled I read on lifes page *sad*  
Of life this plain record that comes with age *sorrow*

Footprints of sadness will blot it all oer  
When loved friends sail away from this lifes shore  
Only we see them look down on us now

*must weep*  
While we submissively in it bow come then and dry up the tears I  
Rock me &c

My mind's eye is opened and visions of light  
*fond halo*

Steal silently round me till all is so bright  
*gently*

I see *her* distinctly your eye beaming joy  
*her*  
 And beckons me onward her peace to enjoy

Sweet is the vision, I hear her sweet song  
*the glad*

In lullaby cheering my spirit along  
*soul*  
 To where the bright silver lined cloud always keep  
 The watch while my mother shall rock me to sleep

Backward turn backward old time in your flight

Make me a boy again — just for to night  
*child*

*Cease your*

Mother come back to the echoless shore

Take me again to your heart as of yore

Help me to reach the echoless shore

Kiss from my sad eyes the tears I have wept  
*forehead the furrows of care*

Soothe me again as of yore when I slept  
*the few silver threads out of my hair*

Over my slumber my loving watch keep  
*your*

Rock me to sleep mother rock me to sleep

Kind watch you have kept in days that are flown  
*Over my heart*

No love like my mother's ever has shone

No other loves worship abides and endures  
Unselfish and patient and faithful like yours

None like a mother can chase away <sup>pain</sup> grief  
And cheer up the sorrowed in

From the sick soul and world weary brain  
Slumbers soft calm — on my heavy lids creep  
Rock me to sleep mother, rock me to sleep

<sup>hollow</sup>  
Tired of the vain world the base the untrue  
*Oh mother my heart calls for you*  
Mother kind mother I now call to you

Many a summer the grass has grown green  
Many a year your grave has grown green  
Blossomed and faded our faces between  
And blossomed with flowers

Yet with a yearning and deep seated pain  
Yet with strong yearning and passionate pain  
Long I to night for your presence again  
Come from the silence so long and so deep  
Rock me to sleep mother, rock me to sleep

<sup>brown</sup> <sup>lighted</sup>  
Come let your hair just shadowed with gold  
Fall on your shoulders again as of old

<sup>fall</sup> <sup>forehead</sup>  
Let it drop over my vision to night  
Shading my weak eyes away from the light

<sup>years</sup>  
Mother dear mother the days have been long  
*hushed to you*  
Since I last heard your lullaby song  
<sup>soul</sup>  
Sing them again and unto my heart it shall seem  
Manhoods long years have been but a dream

*clasp to you*  
Clasping your arms in a loving embrace  
Let your light lashes fall adown on my face  
<sup>sweep</sup>  
With your light lashes just sweeping my face  
I will forget as I wake or I sleep  
Never hereafter to wake or to weep  
Rock

For with its golden edged shadows once more

*the*

Fondly will throng sweet visions of yore

Lovingly softly its charmed billows sweep

Rock me to sleep mother, rock me to sleep.

When the authorship of the poem was questioned, Mr. Ball looked for and found the draft. It was on two pieces of paper fastened by a wafer. In June last, the whole of the draft was shown to the following gentlemen, who called at Mr Ball's house, as a sort of committee to satisfy themselves on the question. George W. Carleton, the publisher in New York; Dr. A. N. Dougherty, of Newark; the Rev. J. F. Pingry, of Elizabeth, F. W. Foote, of Elizabeth; Dr. Lewis W. Oakley, Surgeon General; Dr. Westcott, J. R. Weeks, Silas Merchant, of Newark; Mr. Gilder, editor of the *Newark Daily Advertiser*; Mr. Potter, editor of the *Newark Commercial*, and Mr. Terhune, editor of the *Washington Literary Union*.

It was noticed by these gentlemen, that one of these pieces of paper on which this draft was written, and unfortunately the piece which has been lost, was a tradesman's bill rendered to Mr.

Ball in September, 1856. Of course this writing might have been made at any time on a bill of an older date, but where so many bills are presented and paid as in Mr. Ball's house, the presumption is that this one was thus used by him about the time of its presentation. At any rate, this little item is not without force in connection with the other evidence.

It is proper to remark here, that the gentlemen just named, in June last investigated this whole subject, from the original letters and papers referred to in this statement, and that they are ready to certify to the genuineness of these documents, and, as would follow, to their conviction of the rightfulness of Mr. Ball's claim.

It may seem superfluous to discuss the question, whether Mr. Ball could have written, that is, had the ability to write the poem, after the demonstration which has been made that he did write it. But in some of the newspapers, and doubtless in private circles where he is not known, the question has been asked, what else has he written worthy of this, that he should expect this to be accorded to him? It is said, he is unknown as a poet, and he must authenticate his claim, by



producing other poems of his up to the standard of this one. His friends are willing the question should be tried by this test, although, as must be obvious to any one at all familiar with poetical literature, it is a severe and not altogether a fair one. How many poets have gained reputation, and seeming immortality, from one or two pieces, Gray, and Wolfe, and Heber, and Muhlenberg, and Dr. Good, and Key, and Woodworth, are familiar instances in the number. Richard Henry Wilde, of Georgia, has been ranked among the poets of America, and the entire south have glorified over him for near forty years, by reason of his one little poem, of three stanzas, "My life is like the Summer Rose." How many copies of Motherwell's poems have been sold for the sake of Jeanie Morrison. Is not John Sterling loved as a poet by all who have ever read his few pages of Hymns of a Hermit. Cases like these will occur to every reader. In spirit as in matter the law is, that jewels shall ever be small and rare. Indeed the same rule applies not only to the minor, but to most of the greater poets. When Wordsworth was ridiculed from one end of England to the other, and in parliament, his friends found their weapons of defense, in a few

of his smaller pieces, like the Ode on Immortality, and the River Wye. How shorn would Tennyson laurels be without Locksley Hall and Ulysses; and is not old Homer himself almost exclusively thumbed at the one page where we can weep over the woes of Andromache. All the truly divine inspired immortal lines that have yet been written, could be recorded in a much smaller volume than the multitude dream of.

The following further illustration of this truth, apt and close at hand, will certainly be pardoned. The able critic of *The Nation*, in a recent friendly notice of Mrs. Akers's volume says :

Better than by her pseudonym "Florence Percy," or than by her own name, readers of late minor poetry will recognize in Mrs. Akers a favorite verse writer when we say that she is the author of the touching lines, "Rock me to sleep." They deserve to be liked. It is no wonder that they have been sung everywhere, for they give sweet and unaffected expression to the sentiment of the purest tie between human hearts; they present it as it exists, kinder and dearer than even the reality, in the tender light of memory, and with all its sweetness increased by contrast with the harsh experiences of the world. We see no reason why the popularity of such verses should not be very long continued.

But if Mr. Ball be tried even by this hard test, who will say that his claim has not already been

vindicated. Let any critic show wherein, as a whole, the nine verses above for the first time published, and to which there are no other claimants, are inferior to the six other verses. But not to let the case rest here, as it might, the following pieces are published. They were selected by the writer of this article, after a not very careful inspection of Mr. Ball's manuscripts. They were written without any view to publication, and are published just as written, but are they not based on the same pure metal that runs through "Rock me to sleep," and have they not its ring?

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#### MARRIAGE ANNIVERSARY — 1865.

---

My mind will wander back years three and twenty

In this soft gloom of an autumnal day ;

As memory gathering up her robes of plenty,

And mingling with my dreams, bears me away.

And like the dew fall, that so still is stealing,  
     Each thought will enter, till the picture's whole,  
 And in my heart a sweet unwonted feeling  
     Creeps up, and bathes each sense of my glad soul.

Into these silken folds of life intruding,  
     The past, and present, all are tinged with gold;  
 The warm lights of remembrance still are brooding,  
     And from the future the black clouds are rolled.

And these sweet wand'ring thoughts like happy dreamings,  
     Show brightest wings whene'er I think of thee,  
 All thro' the secret chambers haply streaming,  
     They seek, but find no words to set them free.

This mystic charm, alone for me has keeping,  
     So near my heart is flitting night and day,  
 That in the fullness of its tranced creeping,  
     My soul is lightened while from you I stay.

But as life's sunbeams slant and shadows lengthen,  
     There are no shut wings of our youthful joy;  
 Life's flowers in their aroma seem to strengthen,  
     And in thy love is drowned all pain's alloy.

And as matures life's richest robes of glory,  
I look upon your brow, now streaked with grey,  
To read again life's ever pleasant story,  
As noiselessly each pleasing sense has play.

And as I wander thro' the groves of feeling,  
From the faint lover to the grand-sire now,  
Each record sweetly lends its gentle healing;  
No scentless flowers have ever decked thy brow.

These noiseless whispers, like a dream of beauty,  
Have stilled the pulses when my heart would swell,  
And cheered me on thro' life's unpleasant duty,  
And taught the mind to echo — all is well.

Fond wife, this night, the same as our bright wedding,  
Has that blest, tender, happy, heavenly hush,  
That stole in on my soul with its bright shedding,  
When our young hearts gave way to love's first flush.

The secret chambers of my life are freighted,  
With the responses to my love you made;  
These three and twenty years I now have waited,  
Nor find in you one reservation laid.

WATCH OVER ME MOTHER.

---

While watching the shadowy forms of the night,  
The glass of remembrance reveals to my sight,  
The loved ones of childhood that sank to their rest,  
And now are enjoying the homes of the blest,  
Each thought of them ever is fragrant with love,  
A glorious host, in the heavens above,  
As round me they circle, this prayer I begin,  
Watch over me mother, and save me from sin.

When cares and temptations beset me each day,  
The angelic crowd comes in lovely array ;  
As these shadowy forms appear to my view,  
The load of life lightens, I strive then anew,  
Temptations forsake me, the sweet breath of prayer  
In low distant murmur, is borne on the air,  
My soul, in its transport, this prayer will begin,  
Watch over me mother, and save me from sin.

. . The doubting and fearing that torture the soul,  
 Are quenched by the tides of the blest as they roll,  
 And these gentle spirits, all pointing above,  
 Melodiously whisper, "Here God is our love."  
 And thought stealing upward is cheered while they smile,  
 Till all my soul's sorrow is healed for the while,  
 And from the heart's fountain, this prayer I begin,  
 Watch over me mother, and save me from sin.

Benignly they beckon me onward thro' life,  
 And lull all the fever, and anguish of strife,  
 My sad heart responding is cheered on again,  
 To battle temptation, and bear the world's pain,  
 These sanctified visions of loved ones will swell,  
 My bosom with rapture no mortal can tell —  
 The soul in its trusting, will try thus to win,  
 The watch of my mother to save me from sin.\*

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\* Mr. Ball had not seen Emerson's lines :

"Close, above our heads,  
 "The potent plain of Dæmon spreads,  
 "Stands to each human soul his own,  
 "For watch, and ward, and furtherance;  
 "Sometimes the airy synod bends,  
 "And the mighty choir descends,  
 "And the brains of men thence forth,  
 "In crowded and in still resorts,  
 "Teem with unwonted thoughts."

## LIFE IS BRIGHTER.

---

Life is brighter, has grown brighter  
Every year,  
And the heart is ever lighter  
Every year;  
And the pulses seem to strengthen,  
While the pleasures ling'ring lengthen,  
Every year.

Sweet the echo, as we listen,  
Every year;  
While we read, the pages glisten  
Every year.  
Sound and sight make each sense tingle  
As the pleasures thickening mingle  
Every year;

And the new joys life is breeding  
Every year,



Come without our ever heeding,

Every year.

Life is now so full of glory

That I read its pleasant story

Every year,

Wondering when the frosts will gather

Every year,

Till the heart would seem to rather,

Every year,

Doubt, if Time had not forgotten

I had ever been begotten

Any year.

Charmed with life, and life's pure fountain

Every year,

That I dread less, grief's cold mountain,

Every year.

While the west is all a glowing

From love's fountain there is flowing

Every year,

Such a stream of pure devotion

Every year,

That my heart bathes in this lotion. —

Every year,

Opens wide its secret locking

To these fond ones who are knocking

Every year,

That my soul, in one great wonder,

Hopes the tie may never sunder

Any year.

These kind friends will ever lighten

All my cares, the future brighten

Till the western sun is glowing,

And the roseate hue is flowing,

In such gorgeous mellow shading

That I know not — Life is fading

Every year.

## THE LOCK OF HAIR.

•        —————  
Laid away carefully,  
    From all other eyes,  
Is a lock of brown hair  
    I lovingly prize.

Tis all that is left me,  
    I value it much,  
It brings back the thrill  
    Of a passionate touch.

Long, long, in its silence  
    From other eyes hid,  
Tied with a blue ribbon  
    It rests on the lid.

Of the box of sweet sandal  
    She brought home to me,  
From over the ocean  
    And there it shall be.

No eye must profane it ;  
But this lock of hair,  
Mutely responding,  
Has pointed me where

Her soul has ascended  
To sing with the just,  
All gathered, but this,  
Of the mortal to dust.

The lock I had severed  
From her cold clammy brow,  
Is all that is left me,  
Of her to love now.

I loved her while living,  
Now named with the dead,  
I go treading gently  
Her blossoming bed.

The jonquil and jasmine  
Grow green on her grave,  
The heart hush is heavy  
Tho' broken, 'tis brave.

And silently sweeping  
The arc of the air,  
Serenity settles  
On all that is there.

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GOOD NIGHT.

---

Sleep gently, darling one, so dear;  
At your request, I sit me here,  
Still ringing in my listening ear  
Your sweet—good night.

Sleep on ; the gentle spirits wait  
To open up the heavenly gate,  
And welcome you to meet the fate  
That bids—good night

To all of fear, and all of woe,  
To all of pomp, and all of show—  
Where tears are dried ere they can flow  
To dim the sight.

Sleep on! I'll watch beside your bed,  
And pillow soft your aching head,  
Removing from my heart, the dread  
Of *that* good night,

Whispered so softly that it seemed  
As if my brain had only dreamed  
And on my vision there had gleamed  
The words—good night.

Now wake again, beloved one;  
The night has passed, the morning sun  
Has put his sparkling jewels on,  
And all is bright—

But cold upon that pillow lies  
The mortal of the angel's prize,  
And I hear, whispering from the skies,  
Her soft—good night.

These poems certainly show Mr. Ball's ability to write the one in question, and that he did write it, has been demonstrated by four distinct lines of proof, each of which of itself establishes the fact; first, the letters, proving that he read the verses to his friends years before Mrs. Akers's date; second, the poem itself as a whole, illustrating by its internal evidence that it was all the work of one mind, and of course Mr. Ball's; third, the Christmas Carols, using the very language of the poem nearly four years before Mrs. Akers's claim; and fourth, the original draft, settling the question with fatal certainty.

This is the case, and it is seldom that in such a matter one so strong and conclusive can be made. It is a strange affair, and Mrs. Akers's friends, to whom she so feelingly alludes in her note, will ask for a solution of the mystery. On the one hand stands a woman of genius, the authoress of many sweet and polished verses, which would have given her a reputation without the aid of the disputed poem (though critics pronounce that the best in her book), and on the other side,

stands a gentleman of high, social and personal position, of fine native poetical gifts, but without aspiration for literary fame, and careless to a proverb both in writing his verses, and what becomes of them after written; both claiming what, of course, one only can own. But is the good name of the parties necessarily on trial, as Mrs. Akers seems to imply in her note? Ordinary readers, the prosaic and hard judging, would say yes, but is that necessarily so? Are not other laws to be applied here than in ordinary cases of disputed *meum* and *tuum*? Mr. Ball himself, with the most naïve benevolence and kindness of heart, asked the writer, whether, as suggested to him by a distinguished literary friend, there might not be some occult psychological process by which Mrs. Akers could have possessed herself, unconsciously, of these verses from his mind or manuscript? In that unknown region, where lie great future sciences, of which clairvoyance, mesmerism and the like phenomena give empirical token, may there not be such methods? In the common manifestations of spiritualism, so called, there are things not less strange than this, and indeed quite like it. A mind which dwells so habitually in the ideal,



as Mrs. Akers, around which there is an atmosphere where grows so profusely her sweet, sad sick-room poetry, may surely, if any mind ever can, be expected to acquire by some such abnormal process. One of her most friendly critics, above referred to, says of her, "she obviously borrows thoughts and forms from other poets," and may she not, with the same innocence, by a farther reach of the same faculty or tendency, likewise borrow words, phrases and lines.

The experience of Christopher North, in the light of certain facts about Mr. Ball's manuscripts, offers another and kindred solution of the mystery. Mr. Ball is very careless of his manuscript poems. When he travels he often carries them in loose sheets of note paper in his pockets. They lie scattered on his table. Formerly he had a clerk, now deceased, who used to copy for himself many of the verses. Mrs. Akers sojourned for a while in New Hampshire, and Mr. Ball's business often carried him there, though they never met. In a way here hinted at, or in some other, "Rock me to sleep" or part of it perhaps was lost, got into some country newspaper, and floated before the eye, and into the memory, and poetical soul of Mrs. Akers, before she went to Italy, and there,

in Italy, by the alembic of her genius, all her nature excited and transfigured by the glorious monuments and associations around, the verses became transmuted, and, having to her lost their identity, were reproduced from her memory. The following apt and choice passage from the *Noctes Ambrosianæ*, shows how such things may happen with poets :

*Registrar.* You have a miraculous memory Sir. Is it true that you have by heart all *Spenser's Faëry Queen*?

*North.* As great a lie as ever was uttered. But thousands and tens of thousands of small poems lie buried alive in my mind: and when I am in a perfectly peaceful mood, there is a resurrection of the beautiful, like flocks of flowers issuing out of the ground, at touch of spring. I am in a perfectly peaceful mood now. And since you like to hear me recite poetry, my dear Registrar, I will murmur you a few stanzas, that must have committed themselves to my memory, for I feel assured that I did not write them, yet I have no recollection of them — mind that word — and perhaps they will take their flight now, like a troop of doves that on a sudden are seen wheeling in the sunshine, and then melt away from the eye to be seen nevermore.

The only difference between Christopher North and Mrs. Akers is, the one felt assured he did not write the forgotten, yet memorized verses, and the other that she did.

It is suggested, in good faith and with perfect kindness of feeling towards her, that the explanation of the matter lies in some such direction as above indicated.

" High omens ask diviner guess  
Not to be conned to tediousness." \*

But Mr. Ball is a man, a business man, with but one side open to the infinite, and that only occasionally; and withal a member of the New Jersey legislature, and must be judged by common rules. Therefore this presentation of his case has been made from a strictly mundane point of view, sustained by facts, dates and documents.

It is understood that there have been other claimants to the poem, Mrs. Akers says eight

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\* I made a comparison at table some time since, which has often been quoted, and received many compliments. It was that of the mind of a bigot to the pupil of the eye: the more light you pour on it, the more it contracts. The simile is a very obvious, and, I suppose I may now say, a happy one; for it has just been shown me that it occurs in a preface to certain Political Poems of Thomas Moore's published long before my remark was repeated. When a person of fair character for literary honesty uses an image, such as another has employed before him, the presumption is, that he has struck upon it independently, or unconsciously recalled it, supposing it his own.— *Autocrat of the Breakfast Table*.

or ten, but as they have not put their claims before the public in print, they are not farther noticed. Mr. Ball's case is here independently stated, and in its harness he awaits all comers.





## WHO WROTE "ROCK ME TO SLEEP, MOTHER"?

*Being a Disquisition upon Sundry Wiseakers, Book Merchants, and Others, with a Dissection of the Same for the Public Benefit.*

"The lawless butterfly's piracy  
Shall drain no longer their honey-store,"

AKERS.

VERY much the larger portion of the subjoined discussion has already come before the public; but as it relates to an interesting as well as singular literary controversy, it has appeared proper to give it the greater permanence of these pages.

In the year 1804, the Rev. Jedidiah Morse, D.D., of Boston, was charged with having plagiarized from a celebrated New-England authoress. Her partisans made great noise in their savage assault, and succeeded in nearly destroying the good man's name and property. The lady persisted, with singular pertinacity, in playing upon the public sympathies, which were easily won for a woman, even as against a clergyman, until time could be had for a careful inquisition, when, not only was the charge completely disproved, but there was uncovered, also, the astonishing fact that she had herself taken from others, *verbatim*, to the amount of one third of the volume she claimed for her own; whether legitimately, under the rules and practice of historical composition, or not, we do not assume to say. Thereupon, however, she became silent as to the issue with Dr. Morse.

A case, similar in many of its features, is now before the public mind, in which Mrs. E. C. Akers Allen, of Virginia, disputes with Mr. A. M. W. Ball, of New-Jersey, the authorship of a popular poem. And while it would be absurd to insinuate that the man in this issue must be right because the lady was silenced in the other, it would be equally uncandid to lean toward the lady's claim because she confronts a man.

If the matter could be dwarfed to a mere strife for the world's honors, or even to a question of veracity between individuals, we should say, let them and their friends settle it in private, as best they

may. But the poem has been adopted as one of the common household treasures. It has won its way to a multitude of hearts, and thus commands a general interest in the history of its making. The literary public are, for their own sake, beholden to a just settlement of the claim.

A fraud which, unrebuked, may lead to endless imitations, demoralizing the sense of justice, the confidence of authors, and the comfort of readers, and throwing all the fine old art of criticism into confusion, must be candidly scrutinized, and, in the name of common sense, a verdict given in the only way in which such things can be adjudicated and stamped out. A New-Jersey legislator is a good target for a fling, and the frailty of woman suggests an apt Shakespearean quotation; but jokes and justice rarely strike hands. Wit may enliven debate, but sense must cast the issue. Any adroit thief may turn the joke on you before the gaping crowd; but you are master of the situation when it comes to the evidence, before twelve men, sworn and trusty.

Aside from graver motives, the curiosity of the general reader will be amply repaid by a consideration of this case as a phenomenon of literature. The history of it is extraordinary.

Mrs. Akers's claim to the poem of six stanzas was asserted in June, 1865, when she said in a published letter, "I certainly wrote the song in question, and sent it from Italy in May, 1860, to *The Philadelphia Saturday Evening Post*;" and again, "which I wrote and published five years ago." Subsequently she included this poem in her volume of writings, published in 1866, by Ticknor & Fields.

On the part of Mr. Ball, it was asserted that he had, as early as 1856-7, written a poem of fifteen stanzas—these same six, with slight discrepancies, included—with which his friends had been long familiar through private recitations: a draft of it being made in 1856, and the whole perfected in 1857, while he was on his way to California. His claim took public shape in a vindication written by Mr. O. A. Morse, of Cherry Valley, and indorsed by Mr. Luther R. Marsh, of New-York. So large a circle of friends had become conversant with the issue, that, in the language of the latter: "In spite of his chivalric forbearance toward his chief contestant, Mr. Ball was driven to the alternative of defending his right, or hereafter remaining clouded with the suspicion of having put forth unfounded pretensions." This vindication contained testimonies and evidences of the most positive kind. No sane man will imagine that these gentlemen who produced it would recklessly peril their social standing as men of honor, ability, and literary attainments, in the gratuitous defense of a cause in which they had no confidence, or in cheating the public with sham evidence.



The simplicity and dignity of this defense were worthy of all praise. It was largely commended by the press as a pattern of the propriety which should characterize all debates; and, with the strong array of evidence, must have had weight, if we may judge from the vindictive character of the personal attacks which followed from chivalric champions, who had not an excuse in the provocation of a single harsh or ungentlemanly word. Concerning these champions and their vagaries, we have something further, anon.

Not altogether satisfied with the blunderings of these, Mrs. Akers, (now Mrs. Allen,) with more energy than wisdom, enters the arena in person, through the following letter:

MRS. AKERS TO MR. BALL.

RICHMOND, VA., Aug.—, 1867.

MR. ALEXANDER M. W. BALL, Elizabeth, N. J.: SIR: I have waited a long time before addressing you, hoping that your conscience might forestall me in the suggestions which I am about to make; but as you do not appear to appreciate my forbearance, nothing remains but for me to speak a few plain words to you. Of the utter falsity of the claim which you have made to the poem, "Rock Me to Sleep," substantially as it appears in my recent volume, no two persons in the world can be so well aware as you and myself. You know that it is not yours; that you never saw it until you saw it in print. I know that it is mine, and mine only. Furthermore, you and I both know that your sin in this thing was not "involuntary" or "clairvoyant." I will not insult you by employing the sham, chivalric sugar-coating which you offer me in your pamphlet. I have no "occult psychological" excuse for you. You have clearly proved, by parading before the world your so-called "original draft" of the poem, that this claim of yours was a deliberately planned and coolly executed piece of villainy; too serious a crime, surely, for the gain which you hoped thereby to achieve. But I will do you the possible justice to say that, perhaps, you have not been fully aware of the gravity of your offense against me, and the harm which it has done, and is capable of doing.

The theft of a literary production is the most mischievous of all thefts. Any other loss of property or belonging may be suffered without a corresponding loss of credit and good name. One may steal a man's money, or his clothing, or an ingenious invention of his, without casting any shadow on his reputation—the loser has only the loss of his property to bear. But if one steal his published novel or poem, the victim not only loses his own, but is thereby actually accused of theft and falsehood himself, although he remains quite passive in the affair; for, with the great public, the silent party is always in the wrong. Here, then, is one phase of the wrong you have done me. So far as your influence reaches and convinces so far as your published pamphlet is read and believed, I stand before the world guilty of falsehood and theft, combined in the most humiliating and inexcusable form; since the crime is not a crime of necessity, nor of provocation, but of the weakest and most pitiable vanity. And there is another phase of the wrong. It has been said by or for you that you have not habitually published your poems, partly because of your modesty, and partly because you have been so favored by fortune as never to have been obliged to write for money, like a professional poet. The question of modesty we will waive, for the present—modesty being an abstract idea, of which, it latterly seems, different people have different conceptions. But the question of money is readily appreciated by the majority of minds.

Happy is he whose worldly circumstances allow him to keep his talent "laid up in a napkin" to be gloated over in secret. I admit, however, that I have been less fortunate than yourself; that it has been necessary for me to place a money value on my literary labor, and to receive payment therefor. Do you not see, then, that in addition to this gross slander on my private character, this accusation of dishonesty and falsehood, you have done me the serious injury of damaging, if not ruining, my means of subsistence? For what editor or publisher, convinced by your pamphlet, would thereafter purchase my work? Would not every one, of course, utterly refuse to accept or pay for articles, which he believed might turn out to be not only old, but stolen?

I have this suggestion to make to you; it is, that you promptly make to me such apology and reparation as still lie in your power. It is, of course, too late to expect you to do this from any motive of justice toward me; for, had any feeling of this kind been possible to you, this pamphlet would never have been written. But, as matters stand, it will be your best course, in a merely selfish view; for your present ambiguous silence is not going to be the end of the matter. Here is your pamphlet, scattered broadcast over the land, boldly claiming my literary property as your own, and denouncing me as an impostor and assailer of character. Here are newspaper articles, written or procured by your friends or yourself, accusing me roundly of falsehood and theft in intent, utterly destroying my good name, both literary and personal. Do you not see that this is what the books call slander, and, as such, clearly actionable "in any court in Christendom"?

Here, too, is not only evidence, but positive proof, that you have, before this instance, appropriated literary property which was not yours, and that you have lately been convicted of having so done. These facts are stubborn, and, taken with others which I will not now enumerate, make a plain and strong case against you. You have already seen the popular newspaper verdict against you. You could hope for nothing different at the hands of the law.

I am not vindictive, and would not throw back upon you the mortification and bitterness which you have inflicted upon me; so I offer you this chance of avoiding further publicity in the matter.

I shall wait a reasonable time for you to reply to this communication — a copy of which I retain with the right of publishing it in full, with such explanation as may seem proper, in case I do not receive a response from you. In that event, I shall proceed to take such steps as may be deemed advisable toward a final clearing up and settlement of this mischievous affair. Meanwhile I wait your pleasure, assuring you that, even could you convince the whole world that you are wronged and innocent, and I guilty in this matter, I would rather face the multitude branded as a liar and swindler, yet conscience free, than receive the congratulations of my friends and the public, at the expense of the inner condemnation and self-contempt in which, sooner or later, you must surely suffer.

ELIZABETH AKERS ALLEN.

#### MR. BALL'S REPLY.

ELIZABETH, Sept. 6, 1867.

MADAM: I shall not be able, by reason of more pressing engagements, to reply to your letter of last month quite so soon as I expected when I acknowledged its receipt. I hope to find the requisite leisure at an early day. Meantime, lest you should be impatient at the delay, I suggest an immediate commencement of the suit which you therein announced your purpose to institute against me, for what, you say, "the books call slander," in that I had denied your authorship of the

poem in question, and claimed it for my own. I am very glad you have determined to bring a suit, as it has often occurred to me, since this controversy has become a public one, that the most conclusive way to decide the ownership would be by a jury trial, where the testimony of the parties themselves, and of all persons having any knowledge bearing on the question, could be adduced. I cheerfully submit to this tribunal to which you invite me. I had been in hopes that your publishers would claim a violation of their copy-right, and commence an action accordingly, which would enable each of us to bring forward proofs. Not having done so, the same end can be accomplished, and perhaps more directly, by your suit. Let me hold you, therefore, to this menace and promise. By no means reconsider it. That you may not be subjected to any inconvenience in commencing your suit, and presuming you would prefer New-York, as a more convenient and conspicuous place of trial than the county where I reside, (though you can select either place you choose,) I have requested Messrs. Marsh, Coe & Wallis, attorneys, at No. 170 Broadway, New-York, to accept, for me, service of process; to put in an appearance on my behalf; to throw no impediments in the way of a speedy trial; but, on the contrary, to afford every facility to such expedition. And in further earnest of my acceptance of this proposition, and my desire that it shall be carried out, I propose to save you any trouble in proving the utterance and publication of the words you claim to be a "slander," repeating, as I do, here and now, with an unqualified absoluteness, that you are not, and that you very well know that you are not the author of the poem published by you as your own, entitled, "Rock Me to Sleep, Mother;" but, on the contrary, that I am the author, and the sole author, of it, and of each and every part of it, (except where you have made verbal changes to make it tally with your condition, as by substituting "womanhood" for "manhood," as it stood before;) that I wrote the whole poem of fifteen verses as it stands in the pamphlet of Mr. Morse, to which you refer, including the six verses you have claimed and published as your own; that I composed and wrote it in the latter part of 1856 and the early part of 1857, and repeatedly read it to my friends at different times in the years 1857-58-59, and long before the period (1860) when, by your letter to *The Evening Post*, you claim to have written the six verses contained in your book. This statement, Madam, is true, unqualifiedly true; and I am ready to and do avouch it before God and man, here and everywhere, now and always, and in all forms that can give solemnity to averment, and bind the soul for its truth. I think it is capable of being sustained by infallible proof, if you will give me the opportunity you threaten and I solicit. This letter is my stipulation that, in the action you mention, when brought, I shall not controvert that this is my claim and the truth, and that I so publish it to the world. Meanwhile, refraining from the war of epithets to which you invite me, and with which your amiable letter abounds, as not likely to illustrate the simple issue of fact between us; withholding my pen from a counterblast (the easiest of all things) of charges of "falsity," "sin," "insult," "deliberately planned and coolly executed piece of villainy," "crime," "offense," "theft," "stealing," "falsehood," "want of modesty," "gloating over in secret," "gross slander," "liar and swindler," "self-contempt," and other such like choice and argumentative expressions, with which your communication overflows, as from a fountain perpetually bubbling with similar material, as not being the best mode of determining whether you or I wrote the disputed lines; not choosing to treat you with the coarseness which you, in common with your champions, by using, provoke—I have written this (much longer than I thought it would be when I began) to the end that you might lose no time in commencing your suit, while waiting for the reply, which, as already mentioned, I expect to make to your letter as soon as my engagements will permit.

A. M. W. BALL.

## MR. BALL'S FURTHER REPLY.

ELIZABETH, N. J., Dec. 1867.

MADAM: Since my partial reply of September 6th to your letter of August, I have waited, now over three months, in the hope you would commence the suit you threatened. But I have waited in vain. I fear that you have practically altogether withdrawn your threat, and that that mode of settling our rights, though announced with such a flourish, is not likely to be resorted to. I pray you to adhere to your resolution as expressed in your letter. If, however, you retire from the position you assumed therein, it would be agreeable to me, as suggested in my former reply, that your publishers (Messrs. Ticknor & Fields) should institute an action against me for an alleged violation of their copy-right. If you are the true author of the poem, then Mr. Dodd had no right to publish it in his pamphlet, and the liability would be clear. That publication I hereby agree to assume for the purposes of the proposed suit, if your publishers choose to sue me instead of Mr. Dodd. I will voluntarily appear in the action. Let it be brought in New-York, where the publication was made.

I hereby give you and them the advantage of knowing beforehand what are some of the proofs on which I shall and do rely, by appending them to this note, to the end that you and they may inquire into the character of the witnesses, and investigate the facts they narrate. Those of the letters which appeared in the pamphlet are refurnished you, to obviate the objection taken by your chief defender, that they were authenticated merely by initials, and not by full signatures.

All these writers are persons in good repute—some of them widely known—and they give positive declaration, as the fact was, that, long before you claim to have written the poem, and as early as 1857–8–9, I read it to them as my own. The statements are genuine, and will be exhibited to any one who may feel interested in testing their authenticity.

My delay in replying to your letter, in expectation of the promised suit, has brought me the attestation of the Hon. George W. Wright, one of my fellow-travelers on the journey to California, in February and March, 1857, and my room-mate on the steamers both on the Atlantic and Pacific, and to whom, both on the steamers and after our arrival at San Francisco, I read the poem, as he states. Mr. Wright is perhaps known to you by reputation, having represented California in Congress, and been largely engaged in business as a partner in one of the largest banking-houses of San Francisco.

I think you will find peculiar weight in the testimony of this gentleman, inasmuch as he corroborates the assertion in Mr. Morse's pamphlet, (p. 26 :) "Mr. Ball wrote or made the draft of the whole poem, except one verse, in the latter part of the year 1856. In February, 1857, he sailed for California, and on the steamers, on both oceans, he corrected and polished it, and added one verse."

A. M. W. BALL.

## LETTER OF THE HON. GEORGE W. WRIGHT.

No. 522 NEW-JERSEY AVE.,  
WASHINGTON, D. C., Nov. 20, 1867. }

O. A. MORSE, Esq., Cherry Valley, N. Y.: DEAR SIR: I have read your pamphlet vindicating the claim of Alexander M. W. Ball to the authorship of the poem, "Rock Me to Sleep, Mother." To me, so well acquainted with the facts, it seems strange that any one else should claim the authorship. Especially strange

does it seem that any one should assert that a poem was first written in 1860, nearly every line of which I could have repeated, from memory, years before that date. I was personally present, in the year 1857, when a portion of that poem was written, and saw the author revising and correcting the whole. I left New-York for California on the 20th day of February, 1857—the February next after the Fremont campaign—and on that passage Mr. Ball was my room-mate on both oceans. Our acquaintance commenced with the commencement of the voyage. Those who have made a similar voyage can readily appreciate the nature of those kindly relations which spring up, generally, between ship-mates—relations which naturally ripen into terms of mutual confidence between congenial tenants of the same state-room. It was on this voyage, and during the very close intimacy which existed between Mr. Ball and myself, that he wrote a portion—I think one stanza—of this poem, and revised some expressions of the other parts, which several changes were afterward discussed between us. I thus became well acquainted with the whole poem, often taking it up and reading it, and, on one occasion, at least, I borrowed the manuscript, and read it to some friends on the steamer. At the close of that voyage I think I could have repeated nearly every line of the poem. On parting with Mr. Ball at San Francisco, we appointed a day when he was to come out and dine with me at my house at the Old Mission of Dolores, and I requested him to bring the poem with him and read it to Mrs. Wright, which he promised to do. On the day appointed, he came, and read the poem to us—Mrs. Wright and my sisters being present—and they well remember the circumstance and the poem, which was often the topic of conversation in our family. I, at that time, asked Mr. Ball for a copy, which he promised to give me when he should have perfected it, the copy he had having been considerably interlined by changes in the form of expression. I had so often read and reflected upon these changes, and seen their relative position on the several sheets, that I could, I believe, even now, identify those sheets, should I ever see them again. So far as the poem itself is concerned, both in spirit and letter, it is not possible that I can be mistaken. I recollect, on that occasion, asking Mr. Ball whether the line, "Come, let your brown hair, just lighted with gold," was a true description, or a mere fancy sketch; and his reply was, that it truly described the color of his mother's hair. I also remember that I, at that time, exhibited to Mr. Ball a copy of the poem, "Home, Sweet Home," which Mr. Payne, the author thereof, had written in the album of my daughter, in acknowledgment of some service which I had rendered him just before he left for his mission abroad, where he soon after died. Mr. Ball asked if there were any terms upon which we could part with that manuscript. I replied that we could never part with that treasure, but that he must publish "Rock Me to Sleep, Mother," and before it was as old as "Home, Sweet Home," it would be as famous. I was called suddenly away from California, and did not get the promised copy, nor did I again hear of the poem until I heard it sung by the Hutchinson Family, in Washington, in 1862. I was greatly delighted at hearing the song, and still more so at the immense applause which followed the several repetitions of it; for I could not but regard it as an indorsement of the opinion I had formed of it five years before; and I remember, too, how vividly, as the song proceeded, it brought again before me the incidents of the voyage I have mentioned. Having been well acquainted with the Hutchinsons for many years, I went up to them at the close of the concert, and expressed my pleasure at hearing the song, and told them that I knew all about it, that it was written by an intimate friend of mine. I was disappointed that they did not recognize my friend as the author, though I do not remember that they named any other party as being the author. I might men-

tion many other little points and forms of expression contained in the poem, which were topics of conversation and discussion between Mr. Ball and myself, both on the steamer and at my house; but I have already enumerated enough to show that my knowledge of this poem, in the year 1857, was not, and my recollection of it now is not, vague and general, but clear and specific, and that any possible mistake as to the identity of the poem then read with the one published in your pamphlet, is utterly out of the question. Nor can I be mistaken as to dates. I never made but one passage with Mr. Ball, and that was certainly in the month of February, and in the year 1857; and I may here add that I sold my house at the Mission in 1858, and removed to Mariposa, where I resided during the remainder of my stay in California.

I have various written memoranda, made at the time, but not at this moment conveniently at hand, which, if necessary, will furnish further confirmation of the dates I have mentioned.

Respectfully yours,

GEORGE W. WRIGHT.

#### LETTER OF J. BURROWS HYDE.

No. 8 PINE STREET, NEW-YORK, October 25, 1866.

DEAR SIR: Relative to the controversy *in re* the authorship of "Rock Me to Sleep, Mother." Some time during the autumn of 1859, I think in the month of September, I called on business at your house in Newark. Mrs. Ball was absent—in Cherry Valley, I believe—at the time. In course of our conversation, you said you had been writing a satirical poem, which, as I knew some of the parties, you read to me; and during the interview you also took from your desk other productions, among them that which you have read to me to-day, bearing the above title. I am able to fix the date by that of the paper which was the subject of our interview, and which I now have before me.

Yours respectfully,

J. BURROWS HYDE.

To A. M. W. BALL, Esq., Elizabeth, N. J.

#### LETTER OF LEWIS C. GROVER.

NEWARK, N. J., January 11, 1867.

DEAR SIR: In reply to your inquiry as to my recollection of your reading to me "Rock Me to Sleep, Mother," (and which you have just now re-read to me,) I would say that, during the summer of 1857, I called on you at your house to ascertain where you purchased a set of damask window-curtains, as I wanted to procure the same kind. During my visit you read me that poem, with others. I was particularly struck with this one, as I had known your mother, and remarked on the justness of the sentiment referring to her. I am confirmed in my recollection of the *time*, by finding that the curtains I purchased on your recommendation were charged to me in September of that year, and it took some time to procure them. My wife, to whom I have spoken on the subject, recollects the occasion as I do. I remember saying to you at your house, when you read me the poetry referred to, that if you had not published, you ought to do so, and that, as we were old friends, if you did not publish, and would make me your literary executor, I should see that the gift God had given you should be known hereafter, if I outlived you.

I am yours truly,

LEWIS C. GROVER.

A. M. W. BALL, Esq.

POSTSCRIPT OF A LETTER FROM MRS. T. W. POWERS TO MR. BALL,  
DATED BROOKLYN, APRIL 7, 1858.

P. S.—Will you please send me, by the doctor, the lines on the fly-leaf of the book which I presented to you, and also the other poem, which you read to me when I saw you last, entitled, "Rock Me to Sleep, Mother"?

MR. BALL'S REPLY TO MRS. POWERS.

April 8, 1858.

I send you, my dear friend, by the doctor, the lines on the fly-leaf of the book you presented. The lines, "Rock Me to Sleep, Mother," I will bring down. For your very beautiful reminder of my birthday, and for the doctor's elaborate present, please accept my sincere thanks.

Yours very truly,

A. M. W. B.

LETTER FROM MRS. HELEN D. EASTMAN.

ALBANY, October 26, 1866.

MY DEAR MR. BALL: . . . . . In reference to that beautiful poem, "Rock Me to Sleep, Mother," I am sorry that I can not remember the exact date when I first heard it. I distinctly remember your reading it to me, and I know it was either in the year 1857 or 1858. I have heard it sung, and highly praised, and was happy to say that I had the pleasure of knowing the author.

Your friend,

HELEN D. EASTMAN.

LETTER OF MRS. POWERS.

ITHACA, June 27, 1865.

MY DEAR MR. BALL: . . . . . What I particularly intended to say when I commenced this sheet was, that I saw recently in *The New-York Evening Post*, a card from Mrs. Akers, in which she claims to have written and published, in 1860, the poem, "Rock Me to Sleep, Mother." Now, in the winter of 1856 or 1857, you read to me, one evening in your study, your poem of "Rock Me to Sleep, Mother," one verse of which, commencing, "Backward, flow backward," was at the time the subject of my criticism. You can fix the exact time by ascertaining which winter it was that Mrs. Ball took Maria to Dr. Cox's, and placed her in the school at Leroy. Had you acceded to the reiterated wishes of those of your friends whom you honored with the reading of some of your poetical effusions, to publish them, or at least give us copies of them, Mrs. Akers and some half a score other ladies, would have been less bold in claiming the maternity of the poem in question.

Very sincerely your friend,

LAURA LOUISE POWERS.

LETTER OF MRS. SEAVER.

NEW-YORK, July 10, 1866.

MY DEAR MR. BALL: In reply to your inquiry whether I remembered a certain visit to your house in Newark, and the reading by you of "Rock Me to Sleep, Mother," I have to say that my recollection is most vivid of the whole affair. A projected visit by myself and Mrs. ——— was carried into execution. Upon our arriving, we found that Mrs. Ball had gone to Leroy, to place her daughter at school; but at your urgent request, we remained till her return. It was before her return that one evening you read the disputed poem, and so

distinct is my recollection of the circumstances, that the room and the positions occupied by all of us, are before me. It was a manuscript written upon note paper. That the authorship had been questioned I did not know until a paragraph in *The Evening Post*, in this city, announced that you were at last believed to be the rightful claimant. I involuntarily remarked that I could have settled that long ago, for I had so many years since heard it from your own manuscript. That you should have been questioned in the matter is only additional proof of your too great modesty, which has thus far prevented many beautiful things you have written being published, and thus establishing at once the authorship of what your many friends may justly be proud.

I am yours truly,

JULIA E. SEAVER.

The date referred to in the two last letters is fixed by a bill rendered from the school at Leroy, at the beginning of my daughter's first term, in February, 1857.

#### SECOND LETTER FROM MRS. SEAVER.

NEW-YORK, July 22, 1867.

MY DEAR MR. BALL: The wicked abuse which has been heaped on you for claiming your own poem, "Rock Me to Sleep, Mother," prompts me to add this to my former letter, published in your pamphlet. I distinctly remember that, at Long Branch, in the summer of 1857, at my request, you read the poem to me, Dr. and Mrs. Powers, Miss Baldwin, and others. The poem read by you at your house, mentioned in my former letter, and the one read at Long Branch, included the lines claimed by Mrs. Akers. I am familiar with every word of it, and make these statements identifying the poem and fixing the time when I heard it read, unequivocally and positively, and am ready to repeat these statements under oath, whenever and wherever called on, if by so doing I can help the truth, and help repel these foul attacks on your honored name.

Truly your friend,

JULIA E. SEAVER.

The Hon. A. M. W. BALL.

#### LETTER FROM MISS BALDWIN, OF ELIZABETH.

ELIZABETH, N. J., August 19, 1867.

DEAR MR. BALL: I remember perfectly my visit to Long Branch, to which you call my attention, and am able to fix the time to be in August, 1857. My grandfather died in March, 1857, and my visit to Long Branch was in the following August. We were sitting on the piazza in front of your room when, in compliance with a request from Mrs. Seaver, you read to us "Rock Me to Sleep." I have heard you read it several times since, and can not be mistaken in its identity.

Very truly yours,

W. A. BALDWIN.

#### LETTER FROM THOMAS J. MILLER, ESQ., OF NEW-YORK.

WOOD LAKE, ORANGE COUNTY, August 22, 1866.

MY DEAR ALEX.: You wish me to fix, as nearly as possible, the time when you read me your poem, "Rock Me to Sleep." I think it was not previous to your California visit in 1857; but I am positive it was previous to your visit in April, 1860. On one of my visits to your house, you stated that you wanted my opinion



about a poem of yours, and read me the one in question. This was in the Mulberry street house, Newark. Yours faithfully,

A. M. W. BALL, Esq.

THOMAS J. MILLER.

LETTER FROM MISS MUIR, DAUGHTER OF JOHN MUIR, ESQ., OF LOUISVILLE, KY.

LOUISVILLE, Ky., October 13, 1866.

You must not think me, my dear cousin, indifferent to your request on the subject of your exquisite poem, "Rock Me to Sleep," that I have not sooner answered your letter. I will now state what I remember, as you desire. Papa, mamma, and I made you a visit of a few days some years ago, when you resided in Newark. I have ascertained the exact time to be in October, 1859. One evening you asked mamma and me to go up-stairs with you, as you wanted to read us some of your poetry. Among other pieces, you read to us, "Rock Me to Sleep, Mother;" and this one made quite an impression on me. The last line of each verse has lived in my memory ever since.

Affectionately yours,

CLARA MUIR.

LETTER FROM MRS. POLLOCK, WIFE OF THE REV. MR. POLLOCK, OF WAVERLY, NEAR NEWARK.

WAVERLY, N. J., August 20, 1867.

MY DEAR UNCLE: When you read to me your poem, "Rock Me to Sleep, Mother," in the winter of 1859, I little thought your claim to it would be disputed. I remember the occasion of your reading it, as if it were yesterday. It was one Sabbath afternoon in the winter of 1859, in your drawing-room, in your house in Newark. I think Miss Eddy, from Chicago, was present; at any rate, she was a guest in your house. The poem deeply impressed itself on my memory, especially the stanza beginning "Backward, turn backward, O Time! in your flight," and "Come, let your brown hair, just lighted with gold," and I can not possibly be mistaken in its identity.

Yours affectionately,

MARTHA G. POLLOCK.

A. M. W. BALL, Esq.

LETTER FROM A. N. LEWIS, ESQ., OF NEW-YORK.

NEW-YORK, August 22, 1867.

MY DEAR MR. BALL: It is with great pleasure that I comply with your request in regard to my recollections of your reading me your poem, "Rock Me to Sleep, Mother."

It was in the fall of 1857 that Mrs. Lewis and I spent a few days at your house in Newark, and I well remember your reading to me those beautiful lines. I am sure as to the date, and that it was not at a later period, because that was the last visit I made you. You can make such use of this as you deem proper.

Very truly yours,

ALEX. N. LEWIS.

LETTER FROM MRS. JULIA C. BENEDICT.

NO. 12 PARK PLACE, NEWARK, N. J., August 29, 1867.

MY DEAR BROTHER: The time when you read me your poem, "Rock Me to Sleep, Mother," I can fix, by domestic events, to be not later than 1858. It was long before the death of our father in April, 1859.

Yours affectionately,

JULIA C. BENEDICT.

A. M. W. BALL, Esq.

## STATEMENT OF MRS. BALL.

The denial of my husband's authorship of the little poem, "Rock Me to Sleep, Mother," has assumed such a character and importance, that it seems proper for me to state some facts within my knowledge. I knew of Mr. Ball's having written portions of this poem before he went to California in February, 1857. On his return thence, in the latter part of April of that year, he read me the whole poem, including the six stanzas now claimed by Mrs. Akers. I remember distinctly that, on the opening of my husband's trunk, as it came from the steamer, the manuscript of the poem was lying in view therein; and on the same day he read it to me. From that day I have frequently heard him read the poem to friends—these six stanzas with the others; and they were familiar to me and to my family for about three years before the time Mrs. Akers claims to have written them.

HARRIET T. BALL.

ELIZABETH, N. J., October, 1867.

## STATEMENT OF MRS. EDWARD WOLFF, DAUGHTER OF MR. BALL.

I was for several years before 1860 familiar with the poem, "Rock Me to Sleep, Mother," (now published in Mr. Morse's pamphlet,) including the six stanzas claimed by Mrs. Akers. I know it as having been composed by my father. I frequently read it, and heard it read by him, prior to the year 1860, and was well acquainted with every line of it.

I was present on the occasion of the reading of this poem at Long Branch, in August, 1857, referred to in the letters of Mrs. Seaver and Miss Baldwin, at which time my father read the poem, as stated by them, including the six stanzas which Mrs. Akers claims to have composed nearly three years afterward.

ELIZABETH, October, 1867.

MARIA B. WOLFF.

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Thus the testimony now stands, and the conclusion can not admit of a doubt. The statements of Mr. Wright—a man of public responsibility, well conversant with the ways of the world, and fully conscious of all the bearings of what he may say—these carry us as nearly as may be by possibility to the actual conception of the poem. And they are full, clear, decisive. Following this are positive declarations of others in more private walks, yet not less reliable, which carry a chain of evidence through the years 1857, 1858, and 1859. Mark also that "postscript" of Mrs. Powers, and answer. On the hypothesis of being a forgery, it is a remarkably stupid attempt, putting at the mercy of an opponent such irrelevant details, so happy for detection. Dishonesty, on the slightest hesitation, would suppress it from a body of material in which it is superfluous. Its very presentation is a proof of good faith, and it bears, in black and white, outside of the possibility of a treacherous memory, the title and refrain of the poem in the hands of Mr. Ball, and credited to him in 1858. It is rarely that a vexed literary question can have such categorical proofs to decide it. If at any time before May, 1860, Mr. Ball had the poem and uttered it as his own, then his rival must for-

ever yield her claim. It is simply preposterous to imagine that so many respectable witnesses could be corruptly brought to waive the dread ordeal of public notoriety, and the little matter of truth-telling, for devotion to a friend. It is hardly less than that to suppose that so many should be so utterly astray in memory of date and identity as that their testimony ought to be thrown out—and on what?

*The bare, unauthenticated assertion of one person!* This is precisely as the case stands.

We recoil from the painful necessity of bringing the matter to so sharp an issue when a lady stands on one side, though her letter may fairly relieve us from any extraordinary prudery on the subject. But common justice demands that a man's honorable, upright character shall not be sacrificed for a courtesy or a "now don't." Chivalry may command much, but nothing that touches honor. Nor, on the other hand, do we feel any concern to waste ingenuity in framing any theory which shall break the fall of her pretension. Whether it be hallucination, or clairvoyance, or a fantasy, or whether,

"Like one  
Who, having unto truth, by telling it,  
Made such a sinner of her memory,  
To credit her own lie, she does believe it,"

we will joyfully accept any theory her friends may propound, and, despite any evidence, we will believe her sincere, though grievously mistaken.

We come now to the Akers partisans—*wise-acres*, shall we call them—and propose thereupon to take off our gloves, as we have no formalities to waste on such as they. Considering the peremptory evidence that settles this question, there would seem to be the less necessity for troubling ourselves with the astonishing literature which they have produced. But when you have blown a Chinese fort to atoms, there may still be some amusement in picking over the odd fragments—gongs, kettles, and all the frightful array. There are good reasons, also, for not passing them by:

1. By assertion and insinuation, they have uttered malignant falsehoods against Mr. Ball and his friends, which must be met.

2. The investigation will show still further the hopelessness of Mrs. Akers's claim.

3. It is a public duty to rebuke this railing, slashing, insinuating, and disingenuous style of attack, which is a flagrant abuse of the high duties, the privileges, and the honor of proper criticism. Criticism without dignity and candor is a nuisance to be abated. Sarcasm, in the interest of truth, may be legitimate; sarcasm without truth is not tolerable; sarcasm against truth is atrocious.

The most elaborate offender is a nameless knight, with vizor down and "W." on his crest, who, ambushed behind the columns of the *Times*, shoots thence his venomd lance. He starts off with a cheerful confidence, having caught three legislators "gone to sea in a bowl, a brittle delf wobbling amidst billows of iron, which a few taps will settle." How readily this figure pictures itself to the imagination! It has a metallic ring to it. Nevertheless, as faithful exegetes, we are bound to suspect, from what follows in the context, that the accomplished writer was indebted to an accident for this brilliant stroke. But for a slip of the pen it would have read, billows of *irony*. We flatter ourselves that this happy emendation will relieve great difficulties of fact.

A *confrère* calls this article "piquant and exhaustive." We think so, decidedly. It is piquant—all piquant—*præterea nihil!* plenty of irony, but no iron. Exhaustive! Undoubtedly, for that poor brain, chasing through the whole dialect of the penny-a-liners, for the pet, pert phrases, usual on great occasions of lampoon, a little musty indeed, but useful withal. "Serene and lofty impudence," "hopeless poetasting," "driveling incoherencies," "knows no more about poetry than a Hottentot," "incredible simplicity," "wondering stare," "foolish figments," "neither the substance nor semblance of verity," (chivalric for lie,) "Walpurgis night," etc., until he reaches the conventional, dramatic climax of the "brain whirling!" We should gather it was just the kind of brain to whirl.

" And much would his heart enjoy the whirl,  
If — his head didn't whirl round too."

That the author was exhausted, we discover further from the editorial columns of *The Times*, of the same date, in which he calls attention to himself in a delicate puff, wherein were gathered some of the precious chips from his main hewing. He writes:

"It may be thought that the criticism of the general literary claims set up for that gentleman (Mr. B.) as a poet, by his zealous friends and champions, is unduly severe; but we do not see that the fair limits of criticism, so boldly invoked, have been transcended." Just so. It wasn't acting, it was reality—that brain whirling. We can imagine the cheerful crowd of *Times* readers that morning: "Some looked perplexed, some profound." They had not had such an exquisite morceau since "the elbows of the Mincio!"

"Smiling, but in secret, cunning rogue,  
He ne'er presumed to make the error clearer."

We take it for granted that this notice was by "W." rather than by an editor, because it contradicts an opinion of that paper, given forth

only twenty days before, regarding Mr. Morse's vindication, as follows:

"On the proofs here submitted, a jury would certainly give Mr. Ball the verdict; and the public would do so, also, if he were a woman." Now, as every body knows, a sudden change of opinion is entirely inconsistent with that decision of character which presides over *The Times*.

You always find it an interesting by-play of the imagination to figure the mien and visage of an unknown author. The intensity of the language, in this case, betrays a juvenile enthusiasm. It reminds us of the lad who told his father that there were a hundred dogs in the yard, which proved, on investigation, to be "our dog and another dog." We have pictured to ourselves a poetic youth, of golden hair, with down upon his cheek and frenzy in his eye. One sentence forces this image powerfully upon us, when he so solemnly, and as though it meant something, declares that Mr. Morse's vindication "in any capital of Europe would be received with an explosion of laughter, if, in its utter ridiculousness, it were deemed worthy any notice at all."

There is the yelping of a hundred dogs for you! This agony of the ridiculous to vent itself, why is it at the beginning? This climax—why was it not at the end? Or why was it not the end as well as the beginning! We catch the hint. "They order this matter better in France." This is intended to sound like the stately stepping of a giant—a great soul that has taken the air of two continents, that has "smiled" with Dickens, button-holed Dumas, and fought duels at Heidelberg and Berlin, or surveyed the world from the pinnacle of St. Peter's—such an one as may pass cosmopolitan judgments upon poor American sinners.

Yet, truly, this seemeth to us but the mincing tread of a little juvenile vanity, airing itself with consequence, before proceeding to work. It brings to our memory a bumpkin we once heard of, who blew the trombone in a rustic band. Having visited the metropolis, he was a Nestor among them, and one day when a mysterious hieroglyph of demi-semi-quavers was picked up in the road, it was naturally referred to his sapience for resolution. With all possible dignity, from behind a pair of eye-glasses bought in Chatham street, he gave the final decision, "Boys, this is real Dodworth music."

He is also very sure that it would "merely provoke a wondering stare and hearty laugh, were it not an amazing circumstance that several respectable journals—*The Nation*, *The Tribune*, and *The Round Table*, among them, (why not *The Times*, unless he does not consider it respectable enough?) have actually given it their serious countenance and approval." Poor journals! we hasten to relieve their distress.

What for a valor that hesitates at nothing, an ardor most genuine, a blundering that sees helmets in basins, and a devotion to an *unknown* Dulcinea, we commend this knight as a type of the order of De la Mancha. Only let him have a little care lest his ears take on such a bleeding as no balsam of Fierabras will cure.

Intrenched behind the ramparts of *The Times*, whose portcullis, with great wisdom of precaution, was let down against all comers, he displays equal valiance in sporting his plumes and firing his gun. We have surgically extracted some of the bullets from Mr. Ball's wounds, and carefully measured, to determine the calibre. On reference to the Regulation Ordnance tables, we find the calibre to be that of a—popgun!

The reader will imagine our terror in approaching his points.

1. The testimony so clearly given by Messrs. Morse and Marsh is only accredited, he says, by the initials of the attestants. Partly this is true.

We can not say how they do things in the capitals of Europe; but it is not the custom here, of men in fair social standing, to put their indorsement upon forged testimonies. Nor is it safe, any more than customary; and the chap must be a boy or a fool who can insinuate such a stupid thought.

The blanks are now filled with the names, and a result reached which sufficiently melts these waxen wings.

2. He thinks this testimony might "collapse and shrivel," under cross-examination. Precisely so. No one seems more anxious to test this point than Mr. Ball. He has offered every facility for hastening the issue. And the test must come, as Mrs. Akers has promised, or she must forever hereafter keep silence. There will then appear, also, some other little matters. The original draft of Mr. Ball's, which puts our Don Quixote into such a paroxysm of laughter—and yet, to have constructed this draft from the perfected poem of another, in the effort to forge testimony, would require more genius than to have written the poem itself.

The curious mystery, also, of a poem written in Italy, in May, 1860, floating round the globe, through Philadelphia to California, and thence cast back, as a waif, upon the friendly shores of *The Knickerbocker Magazine*, in May, 1861, having lost its *nom de plume* and all trace of its authorship on the long journey, all in a twelve-month. This is indeed a fast age; but we have not yet learned that things flotsam have caught the spirit.

3. Even "reliable" testimony would not prove any thing but the hardihood and stupidity of Messrs. Morse, Marsh & Co.! Our young friend is an amateur at law, as well as a "connoisseur in poetry," as he calls himself. Hear! "Grant that reliable witnesses have testified

that they heard the poem read by Mr. Ball in 1856 ; does that necessarily and of itself establish the fact ? Here, in the books, is the case of Sir Thomas Davenant, an eminent and entirely unimpeachable barrister, who swore positively to the persons of two men charged with robbing him in the open day, in the full glow of the sunlight. The men were subsequently shown to be wholly innocent, and the true robbers were afterward discovered. (*Rex agt. Wood and Brown*, 28 State Trials, 819.) . . . "None of Mr. Morse's testimonies compare, for round and solid swearing, with Sir Thomas Davenant's, and yet Sir Thomas was wrong. So much for Mr. Morse's proof, which it is enough to make one blush for shame to know that any reputable journal should call 'irrefutable.' " We feel deeply for these "reputable journals"—*The Tribune*, *The Nation*, *The Round Table*, and even *The Times* itself, which must, unfortunately, come in for its share of disgrace ; and we propose, by a sort of decalcomanie process, to transfer the "blushes" to other cheeks.

Felicitous citations are presumptive evidence of scholarship ; the graces of learning, of honesty, and of dignity are thus clothed upon dialectic skill. One's happiness in this regard may be considered complete, when an adjudicated law-case, carrying with it a sanction revered by the courts as next in force to law itself, can be appealed to, with all the formalities of title, volume, page, and paragraph. Yet the misfortune is great when a prudent search shall unmask a sham and convict a sophist. There are some writers whose tone instinctively begets distrust. Following out this skepticism, we have discovered a "hardihood" quite equal to that of "Messrs. Morse, Marsh & Co." It happens that there is no such case as *Rex agt. Wood & Brown* at the place indicated, nor in the whole volume, nor even in the thirty-three volumes constituting the series. Shall we say it was a printer's mistake, or the "brain whirling," or some other little accident such as once in a while befalls young men, which wrought confusion in his notes ? The traces of his folly are too complete for that. At the place indicated there is the trial of James Byrne for high treason in Dublin, A.D. 1803. The analogy between Byrne's treason to the king and Mrs. Akers's disloyalty to truth in claiming this poem for hers is the supposed reason for this citation. On that trial one of the prisoner's counsel, in the course of his opening to the jury, *apologized for "obtruding this anecdote"* of Sir Thomas Davenport (not Davenant, as "W." writes it) upon them, as well he might, seeing it had no connection with the case then in hand ; said Davenport, according to the "anecdote," having been mistaken in the identity of a brace of robbers. So far as this "anecdote"—so refreshing for its freshness—wars on *all* testimony, it may have some pertinence, though it was far to go for an illustration in a plea so common in the courts, and so

useless. So far as it is a device of sophistry to cover up the real state of this case, it has much impertinence. That is to say, Mr. Ball's declaration may fairly balance the declaration of Mrs. Akers; while, above that, he has a number of witnesses, of both sexes, to confirm his statement, and she has *none*; and yet, because Sir Thomas, (as the "anecdote" runs,) in the flurry and fright of a highway robbery, mistook the disguised foot-pads who committed it, it results that Mr. Ball, and all his friends, are mistaken, and Mrs. Akers, in her solitary assertion, is alone entitled to credence. Unless, however, this "anecdote" shall serve Mrs. Akers, in whose behalf it is summoned from its dusty sleep, a better turn than it did the poor traitor Byrne, she is in a sorry case; for the jury, nathless the "anecdote," found him guilty, as the report goes, "in five minutes," and he swung for it the day after the sentence.

A more conclusive argument, derived from the same authority, our poet-lawyer might have put — and from the character of his logic we wonder he did not — thus: As *Mr. C. Ball* was counsel for Byrne on this trial in 1803; *ergo* his namesake, *Mr. A. M. W. Ball*, could not, half a century later, have written the poem in question; consequently Mrs. Akers wrote it!

We respectfully call the attention of the bar to this dawn of a new era in law, which will add greatly to the liveliness of courts, when "obtrusive anecdotes" of counsel may be cited as taking rank with decisions and precedents; whereat the capitals of Europe may be convulsed with new laughter.

4. He lays great stress on the "plain, gross, brutal truth" that compromises Mrs. A.'s character. He puts this gravely as an *argument* against Mr. Ball's claim. It is unfortunate, indeed, that a man can not tell *his* side of a story without leaving some unpleasant inferences of the other.

But Mr. Ball's friends have been as careful as possible to make no such issue. If the Don does, they are not to blame. If Mr. B. wrote it, Mrs. A. didn't. That is all.

5. But how could Mrs. A. have got it, if Mr. B. wrote it? Here "wisdom mounts her zenith." If you find your watch in some other person's possession, you must not only prove property, but show by what necromancy it came there!

6. Mr. Ball is a New-Jersey legislator! We know something about this popular prejudice so useful for the *argumentum ad hominem*. We have taken the trouble to trace it to its origin. It is said, wisely, that popular ideas do always begin low down and work up. Thieves, pickpockets, and all that ilk, hold New-Jersey legislators in great disgust; because, under their rule, laws and penalties mean



something, juries do convict, jails and prisons are easier got into than they are gotten out of, and pardons are scarce as robins in winter.

7. Mr. Ball is a harness-maker! Burns was a plow-boy, and—but we will kindly omit the long catalogue, familiar to every school-boy. Bohemians write on either side for pay. Mrs. Akers confesses that her Pegasus trots or gallops through the rhymes, only as roweled by a silver spur. The momentous question of Mr. Ball's occupation is easily determined—whatever light that may shed on the question of authorship. As to this, "W." is altogether mistaken—a mistake which probably arose from Mr. Ball's having had an interest in a manufacturing company; a circumstance that made him as much a harness-maker, as you, good reader, owning stock in a railroad company, are thereby made a brakeman or engine-driver.

8. There is a good deal in what this parlous knight don't say. Where ignorance is *safe*, 'tis folly to be wise. He does not vouchsafe one single shred of testimony beyond this same assertion of one. Herein he exercises a wondrous discretion that might have served him in good stead elsewhere.

Now, upon this crazy foundation of rolling stones he rears the superstructure of his wit in comparative criticism. As we scan him, he is a precisian of the pedagogue type. He is undoubtedly a dealer in rhymes, and probably talks in rhythm. "His very foot has music in it." He marches with a measured tread, triumphant. He knows dactyls, spondees, and such like—the harness into which things must go when they come welling from the heart, or all the capitals of Europe will be convulsed. He knows verses, and catches Mr. Morse using verse for stanza; which is powerful proof that Mrs. A. did and Mr. B. didn't, etc., albeit, he is not so wise on that subject as if he were more *versed* in dictionaries. Probably it offends his exquisitely refined taste that Scripture is not divided into stanzas! With square and rule and plummet he falls to work, this metrical *Carpenter*. "Measures, not men," is his cry. "A mountain of testimony"—think of that, an Alp of witnesses!—will not, for him, balance the inversion of an accent, or the truncation of a dactyl.

This is not the first mole-hill that has been stood on for a crow, and we propose to leave our hero standing and crowing as long as he pleases. No doubt it is to his disappointment, not seeing how such a masterpiece could be met; but we suffer, likewise, pangs in the repression of ardor. It is not worth our ink, nor the patience of the reader, to chase up these vagaries, which, after the testimony produced, sound as stale as leaders of the London *Times* became after the fall of Lee. Sighs heave our breast as, in pensive moments, we contemplate the caducity of such herculean, brain-whirling criticism, smothered in its own rhetoric, to show that Mr. B. couldn't have

written such a poem, and Mrs. A. must have. At any rate, Mrs. A. didn't, and if Mr. B. couldn't, let some one tell us who did. Yet there is this melancholy consolation, that, as truth will sift itself out, there must needs be vast tomes of rubbish gathered in the world's archives—eloquence, wit, beliefs, philosophies, and dactylic critics, all laid away in garrets and in glory.

Yet there are some points we may not so easily dismiss to the shades without the ceremony of a parting shake. Mr. Ball composed fifteen stanzas, in which the six were included. If it has happened that six were culled out as better than the nine, this is nothing new in the history of poetical or any other composition. We have no doubt, from appearances, that our anecdotic opponent puts down in writing whatever comes uppermost, and thus, has no such suggestion from his own experience. Given a trite subject, and fifteen stanzas written thereon by any master, and you will find the half picked out by the maturer judgment of himself or his friends. The argument pressed in Mr. Ball's behalf is that, in what remains, there are stanzas and verses equal in beauty and coincident in style, proving the same mind at work in all. The argument is a valid one, and is abundantly sustained by the facts. In spite of the overwhelming positivism of this critico-chevalier, backed by whatever "*Siesta* of the American critical faculty"—a mystical something to which he appeals, whose utterances, we can imagine, might be *profound* in proportion to the previous dining—in spite of critic, siesta, and all, we absolutely deny the assertion, however often it may be repeated.

Our kind critic, comparing the six with the nine, says, "They shine like lucid pearls in a heap of oyster-shells." Be it so!

"I thank thee, Jew, for teaching me that word."

They are Mr. Ball's oyster-shells, and, on examination, prove to be true mother of pearl!

Let the reader make his own comparison, as we quote one of the six and one of the nine:

"Backward, turn backward, then, time, in your flight;  
Make me a child again just for to-night,  
Mother, come back from the echoless shore,  
Take me again to your heart as of yore,  
Kiss from my forehead the furrows of care,  
Smooth the few silver threads out of my hair;  
Over my slumbers your loving watch keep,  
Rock me to sleep, mother, rock me to sleep."

"As stars in the day are concealed by the light,  
And darkness unvails them alone to the sight,  
So sleeping I see you, unseen when awake,  
And welcome, thrice welcome, is sleep for your sake.

Soft are my slumbers, a glory of beams,  
 Announcing your coming, illumines my dreams :  
 Visit me nightly, and when I would weep,  
 Rock me to sleep, mother, rock me to sleep."

Which is which? The first, according to Wiseacre, is a pearl, a gem of the first water. The second is a "dithyramb of devils," in the expressive language of which he is a master.

In spite of which, the reader will discover that this last stanza, figuring a *dream of the mother and the rocking to sleep*, shows a poetic handling more exquisite than any thing in the six; so far, however, above the intellect of our critic, as that to him it is only a jangle and a dithyramb. See, also, what a monstrous freak of absurdity is postulated on the other side. A man writes nine stanzas which evidence the full capability of writing certain other six, which he wishes, by this extraordinary juggling, to steal!

The criticism that, in the six, the refrain always exactly complements the sense of the stanza, and does not in the nine, has nothing to back it but audacious assertion. Take it in the last stanza of the six, for example:

"Clasped to your heart in a loving embrace,  
 With your light lashes just sweeping my face,  
 Never hereafter to wake or to weep,  
 Rock me to sleep, mother, rock me to sleep."

There is just as much latent fun in this culmination of the refrain as in any thing the writer cites for ridicule. So, as to infelicities of expression, the same hypercriticism, if it were sufficiently paid, could detect them in the six. For example:

"Smooth the few silver threads out of my hair!"

We have heard of smoothing wrinkles on a brow, but can't imagine hairs smoothed out of a head. Again,

"No other worship abides and endures,  
 Faithful, unselfish, and patient like yours."

Or again,

"Since I last listened your lullaby song,"

as Mrs. Akers has it, contrasted with,

"Since I last hushed to your lullaby song,"

as Mr. Ball wrote it.

The same style of criticism has torn Gray's *Elegy* to pieces a hundred times, but the world still loves it for all that; yes, and believes in his authorship, though he never wrote any thing else to

compare with it. In this connection we may as well remark that the poem, "Rock Me to Sleep," stands utterly without affinity in Mrs. Akers's volume of poems. And as for that exquisite genius of hers, so enthusiastically lauded by the knight-errant, let it come to the test. Hear her sing :

" And still is the banner of storm unfurled,  
Till all the drowned and desolate world  
Lies dumb and white in a trance of snow !"

A *banner unfurled drowns and desolates* the world, which *thereafter is dumb and white*, and in a *trance of snow* !

Rather hard on the banner ! Look you, Dame Partington, to your laurels !

Again, it is elegantly said that "any one not utterly besotted with stupidity must recognize it as purely a woman's poem." It costs a struggle to consign ourselves to such ignominy as that ; but we have another thought. There is a grossness sometimes reached, when a pitiful experience of life—or sensuality, it may be—has burned out every nobler instinct—to which it seems a mystery of eccentricity that a *man* can glow with warm and tender feeling, or have the holy love of a mother enshrined in his heart. To such a mind, a sacred memory may readily take on the "comic picture of whiskers and boots rocked in a cradle."

But this hallowed flame has burned bright and pure in many a manly breast, as biographies of our best and greatest attest—men who did not fear the charge of weakness when they gave expression to their love. "Bishop Jewell," says Willmott, "had his mother's name engraved on a signet-ring ; and Lord Bacon poured his heart into one short sentence in his will : 'For my burial, I desire it may be in St. Michael's Church, near St. Alban's—there was my mother buried.' At Dulwich, in a dark gown, trimmed with fur, holding a book, we see the mother of Rubens, who, losing his father in childhood, was reared by her watchful tenderness. Pope wrote no lines more affecting than the four inscribed on a column to his mother in the garden of Twickenham. By Cowper's verses on his mother's picture, we might place the letter of Gray, who writes to his friend, 'I had discovered a thing very little known, which is, that in one's whole life one can never have any more than a single mother.' Two celebrated persons, not unknown to Gray, (Warburton and Hurd,) have touched the same chord of feeling ; and in modern times its music has been heard in the homes of genius."

But these men are on a lower plane than "W." They—Bacon and the rest—are too womanly men for such a manly boy. "The Lord High Chancellor of England whining for his mother ! Long beard,

ermine, and high top-boots fondled in his mother's arms!" We hear "W." sarcastically cry: "Had I been judge of the Ecclesiastical Court, this will should have been disallowed of probate. Under the ruling of the 'anecdote,' no amount of reliable testimony could have overcome the internal evidence that it was a woman's will, and not a man's." No skepticism is more hopeless, and we spare our words.

To our mind, this is a man's poem in every fibre of it—a man who, looking "backward," can fairly speak of a "*full* tide of years"—a man who has long felt a mother's loss—a man inspired from fact and not from fancy. It is an overflow of true incident, containing life-springs within it welling up and indicating that it was a real loss that woke the affectionate plaint of song. It is, therefore, a sacred poem; and we believe it is watched over by a Providence that will not allow it to become the source of stigma to its author. It must presuppose some very rapid mode of living to bring such an "utter world-weariness," as "W." claims the poem evinces, upon the fresh bloom of womanhood, and lace the hair with silver threads, at twenty-five. We can suppose that a young woman of that age, or under, might have the genius, out of pure fancy, to give forth a piece with certain great dramatic effects. But such as this, never! Like an amalgam, it sinks through every fibre of being, searching out and wrapping into itself every atom of true golden feeling. It has that subtle power which flows from experience to experience. Imagination may produce the dramatic, experience only the real, and this at an immense remove above the other.

Since writing this, we find that Mr. Morse has already put the argument with great force. Quoting these several lines from the poem:

"Come let your brown hair just lighted with gold,"

and again:

"Kiss from my forehead the furrows of care;  
Smooth the few silver threads out of my hair,"

he urges "certainly the case of either party here will be helped, whose *facts* will accord with these expressions. This is a genuine poem, and came from the soul of the writer, whoever that writer was. It was not conceived, but felt. It did not arise from the brain, or fancy, but from the heart, or it would not find an answering chord in so many hearts." And he says that "he has seen one of the ample tresses of the hair of his friend's mother, and that it is brown, tinged with auburn; and that his friend's forehead *is* furrowed, and the silver threads are in his hair. As to the answering facts in the case of the fair claimant to a part of the lines, there is evidence at hand which must be considered satisfactory. Speaking as a widow, and it is un-

derstood that in the vicissitudes of her life she has not long since been in that condition, she says, (page No. 143, Mrs. Akers's poems :)

' Ah me! the red is yet upon my cheek,  
And in my veins life's vigorous currents flow ;  
*Adown my hair there shines no warning streak,*  
And the sweet meeting which you paint to-day  
Seems sadly far away ! ' "

There is one more point which must be met; otherwise it will be said we dare not meet it, which, on the contrary, we do with great cheerfulness. The critic, in order to give to his work a dignity of which it were otherwise destitute, seeks to fasten on Mr. Ball a supposed plagiarism from Mrs. Whitman, of Providence, in another poem, (which was, in fact, written entirely for private use, without any thought of publication,) at which dextrous feat he can no more repress his childish glee than could Gray's favorite cat, at sight of the golden fish,

" Her conscious tail her joy declared."

Certainly it was adroitly done, and so well that Mr. B., seeing it, immediately, without sufficient scrutiny, in the honesty of his heart, wrote an apology to that lady, with the following statement: " I have not the first recollection of ever having seen your poem, but to deny it would be absurd while the evidence is so conclusive. Perhaps it was published, when it was first written, in a newspaper, and I read it in that way, (for I am very confident I never saw your bound volume,) and the extreme beauty of the thought impressed upon me, and became interwoven into my heart and mind, and, years after, most unconsciously found utterance as my own."

This has all the sound of an honest man's statement; and if there were need of it, the explanation is good and sufficient. And Mrs. Whitman, like a sensible woman, seems to have so received it, as we shall presently see. But we propose to show that he is an honest man, who has suffered at the hands of a shyster. He would not have been so hasty in his letter but for a forgery of the record; in fact, we can not see why he need have troubled himself at all.

The unprincipled critic, to make his case, puts in the first stanza of Mrs. Whitman's poem :

" In the soft *gloom* of an autumnal day."

while the original reads :

" In the soft *light* of an autumnal day."

an expression entirely distinct from the other, and as trite as " the soft silvery light of the moon." To have used the former from another, might possibly have been a plagiarism. To use the latter, could

only be to avail one's self of one of the stock expressions of the poets. As it is, he is entitled to an idea entirely distinct from hers. Having this line staring him in the face, and the other minor resemblances, he was deceived into writing what he did in explanation above.

Of course, this discovery was mercilessly used by our savage critic, but his fierceness carried him headlong down the steep of folly. He exclaims, "Where Mr. Ball can not sop up the lines, he takes isolated phrases, words (*sic*!) and even tones and echoes!" We will give his first example. Mr. Ball says:

"My mind will *wander* back years three and twenty."

Mrs. Whitman says:

"I love to *wander* through the woodlands hoary."

But let both poet and poetess veil their faces; for, after exhausting research, we are able confidently to announce to the world the discovery that this may be traced to a distinguished authoress more ancient than either, who may be supposed to be addressing our critic from her grave:

"Goosey, goosey gander, whither dost thou *wander*?"

In the name of wander, or wonder, what is plagiarism? *Mr. Ball, in his poem, has not a single sentiment, thought, or fraction of a thought, or semblance of a thought in common with Mrs. Whitman!* If he has poetical expressions, "tones and echoes," how many poets are there who have not expressions in common with their reading—expressions that become interwoven with their minds till they have no idea where they came from? The simple fact that Mr. B. is not indebted to Mrs. Whitman for a single sentiment, is a proof that he is honest when he says he had not her poem consciously before him when he wrote.

Hippocrates said: "Life is short," and "Art is long." Henry King called his pulse a "soft drum," with "marches toward death." Is Longfellow therefore a plagiarist?

Shakespeare can be traced back to earlier writers, in thought, sentiment, figures, tones, echoes, and all.

"Chaucer," says Emerson, "is a huge borrower." And again: "The influence of Chaucer is conspicuous in all our earlier literature; and, more recently, not only Pope and Dryden have been beholden to him, but, in the whole society of English writers, a large unacknowledged debt is easily traced."

Wesley sang:

"Lo, on a narrow neck of land,  
'Twixt two unbounded seas, I stand;  
Yet how insensible!  
A point of time, a moment's space," etc.

Long after, Moore writes, in *Lalla Rookh* :

"Who that surveys this span of earth we tread,  
This speck of life in time's great wilderness,  
This narrow isthmus 'twixt two boundless seas," etc.

In the peroration of the great speech against Hayne, Webster expressed the hope that in his last glance he might behold the "ensign" of the republic, "still *full high advanced*." Was he a plagiarist because Milton's Azazel

"Unfurled  
The imperial *ensign* which, *full high advanced*,  
Shone like a meteor" ?

Many other instances of accidental, or at least unconscious, resemblances, occur to us, as of Chalmers with Pope, and of Hemans with Chalmers, and Rogers with Milton : but we have cited enough for our purpose.

In fact, you can hardly take up a literary journal without finding some clever Bohemian after some poet with sharp scissors, cutting out the flesh of the old, and leaving a grim skeleton of the new. And as we write, a sense of the droll comes over us, more exquisite than we can allow ourselves fully to express. A man is not always so safe as he may think, behind his mask. James Byrne (witness "W.'s" case in State Trials) was hanged for treason, though only recognized by the flash of his own firelock as he pulled the trigger, in the dark. Unless we are as much mistaken in the identity of "W." as Sir Thomas was in his robbers, his leisure will be fully occupied in proving an "unconscious utterance," in "sopping up," not only a leaf, but a whole pasture of leaves, and that, also, from one *Whitman* ! O poetical justice ! So wonderfully pat as well as sure !

Our point is, not that Mr. Ball would have been justified in intentionally copying (if he had done so) any thought from Mrs. Whitman without acknowledgment, but that an occasional resemblance of expression is not evidence of such act or intent, since authors are accustomed, and, indeed, compelled, to draw from a common stock of poetic words, images, comparisons, and even phrases—a fact that will receive illustration further on from Mrs. Whitman herself. This idea is well put in a letter from a distinguished literary lady of New-England on the subject of this very controversy : "I believe that none of us can so divide our mental wealth as to say how much *originated* in our own minds and how much is ours by long memory. Beside this, I am well aware that there is a large body of poetical thought and expression which has become as much common property as words themselves, and, like proverbs and superstitious fancies, can



be traced back almost to the limit of man's record, so that I am often out of patience with charges of plagiarism."

We summon to the stand another witness, Mrs. Whitman herself, whose neutrality, however, must be respected. No issue is made with her; we only record her testimony. *The Providence Journal*, which seems to speak for her, "ventures to say that she has no desire to hold Mr. Ball responsible for his 'shut wings,' 'mystic charms,' etc.; or, indeed, for any little accidental resemblances." Of course not; she is a sensible woman, and knows that the assertion of such a right would recoil. And when the public recover from the detonation of the tremendous blast from behind the columns of *The Times*, and the smoke clears away, they will perceive that these "resemblances" cover the whole charge against Mr. Ball; for, as we have said, his poem is wholly diverse, with not a single borrowed thought.

In what we have now to say, we have no mind to underrate Mrs. Whitman's poem, but only to uncover the sapience of that other who has the effrontery to cry that Mr. Ball has based his lines on "her pure metal gold, the vintage of a rich, exalted mind." What a "vintage of gold" may be, we have no dictionary at hand sufficiently comprehensive to tell us; yet suppose it may be illustrated by the following example, wherein the critic strives to show at once his point and his astuteness:

Mrs. W.'s "vintage of gold."—"And like a *dream* of beauty glides *away*."  
Mr. B.'s "stealings."—"And mingling with my *dreams* bears me *away*."

But to continue our inquiry as to what is or what is not plagiarism according to the usages of the poets, we examine this poem of Mrs. Whitman. "Mystic charms," "dream of beauty," "robes of glory," "spicy airs," these are phrases long ago "set" in the language of poesy, and she does well to disclaim exclusive right. "Shut wings" (of a bee) is property sufficiently insipid to escape any vehement desire to covet or to claim; and may only serve, by a severe contrast, to recall the grim "shut soul's hypocrisy" of Byron.

But where the poetess sings,

"I love to *wander* through the *woodlands* hoary,"

is there not an echo of Carlos Wilcox:

"It were sweetly sad  
To *wander* through the open fields, \* \* \* \*  
To hear within the *woodlands*," etc.?

Or of Longfellow's *In the Woods*:

"Oh! I could not but *go*  
Into the *woodlands* hear"?

When to her eye "the sunbeams *bathe the hills* in melancholy gold," are we to hold her responsible for a floating memory of Street:

"The bright *sunshine's golden hue*  
*Bathed* the still frozen earth" ?

And again:

"The sylvan floor is *bathed in gold*" ?

Or are both plagiarists because Rufus Dawes wrote before either:

"The hills *bathed in a flood of glory*" ?

Or is it not a very common fancy of the poets to see things "*bathed*" in the light of the sun? And then, poor, unfortunate New-Jersey legislator, Mr. Ball, only a plagiarist of Mrs. Whitman when he speaks of "*each sense of his glad soul bathed in feeling!*" Don "W." had better try some other calling than that of "connoisseur in poetry" which he so coolly arrogates! So, when Mrs. Whitman writes:

"Like a fond lover loath to say farewell,"

had not Drake already said:

"Like parting friends, who linger while they sever" ?

Her "bee's *drowsy tale*" echoes Emerson's "bee's *drowsy tune*." Her "little birds"—what scores of poets apostrophize the "*little birds*," from the "little birds" of Bonnie Doon to those of Duchess May—"flit *noiselessly from spray to spray*," and as they do it bear a reminiscence of the *bird passing "noiselessly from perch to perch"* in the grand old Forest Hymn.

Indeed, it is plain enough that she catches "tones and echoes" abundantly from Bryant, as an artist may borrow from a master features and colorings in a landscape. A curious detective mistake justifies our opinion.

She says the fringed gentian "nods." "The gentian nods, in dewy slumbers bound." The fringed gentian does not nod. In fact, it is the most strikingly erect of all flowers. We can think of none in the whole catalogue, with stem so straight, and corolla, like a cup, so absolutely looking up to heaven. It is an old idea of the poets to speak of flowers like the daisies, buttercups, and columbine, as nodding—from the time of Oberon's bank, "where ox-lips and the *nodding* violet grows"—but in no sense can the term be applied to the blue gentian. We trace the mistake, in which two independent observers could not have agreed, to Bryant's *November*:

"And the blue gentian flower that in the breeze nods lonely."

Here is, without doubt, a slip of expression, since that master of

American pastorals abundantly justifies his own correct observation of nature, in the poem *To the Fringed Gentian*, as follows:

"Then doth thy sweet and quiet eye  
Look through its fringes to the sky."

Confirmation, if needed, might come from the same press of Ticknor & Fields, in a volume of Whittier's, who sings:

"Yet shall the blue-eyed gentian look  
Through fringed lids to heaven."

We have one more illustration still nearer home. The critic himself, in "sopping up whole lines, isolated phrases, words, tones, and echoes," plagiarizes the whole literature of Billingsgate! With this we dismiss him to his "siesta of the critical faculty," hoping that his future post-prandial dreaming will prove less vagrant than the past!

We have said that the Akers claim gives not a shred of testimony beyond the bare assertion of one. We beg pardon, and hasten to introduce to your kind attention a witness, who signs himself, "Major William Huntley, of Lumber street, Albany." We think we have had sufficient experience in the army to discern fancy straps from here to Albany. It is the singular fancy of army officers to be shy of parading the buttons, save on official occasions. But if we must have our witness in uniform, so be it. There he stands, in the full panoply of war; two shining rows of nine down the front, straps with the golden leaves, and between the leaves embroidered Q. (E.) D.! Probably he may estimate this an official occasion. Undoubtedly it is the last of its kind, since the world, for the fairer distribution of its honors, does not so often repeat the opportunities of greatness to one man.

It is a pity men will not stick to their buttons. This Major may be a master of belligerence, but he is a marplot in belles-lettres.

Truly, Mrs. Akers may exclaim, in the language of the Dutch private when questioned concerning his rations, "Too much ish a plenty." The zeal of her witness is too much. He testifies that he was in Bradford, Vt., in 1850; that he there became acquainted with Miss Elizabeth Chase, afterward Mrs. Akers; that in February of that year she produced the poem "Rock Me to Sleep," in six stanzas; and that then it was published over her *nom de plume*. That there may be no mistake in the date, he repeats it four times, 1850.

This is fearful. And that he should have "been and gone and done it," after she explicitly says that she produced it in Italy in May, 1860!

Ten years also thus rashly taken off her age and experience in the writing of a poem which is instinct with maturity of experience, or, as "W." says, of "utter world-weariness"—say at fifteen!

We are not so unfair as to embarrass her case with such blundering as this. Our object is quite another. There has been much accomplished to the prejudice of Mr. Ball in the slander that he once sent to a newspaper a poem of Mrs. Hemans's as his own. The charge is a gross attempt to prejudice Mr. Ball's case in the public mind, and make sentiment in favor of Mrs. Akers. It has not the slightest foundation in fact. He never did any such thing—never has even courted a public reputation by having any thing published, and it is only a stranger to his character who could imagine it to be true.

This slander we now trace to this Lumber street Major as its source; this Albanian hero, this ill-ustrious, warrio-witness; this would-be Knight of the Garter; whom his fair friends will hardly dub but that they buckle the badge around his tongue. We send it home to him to roost!\*

"The triumphs of a warrior are bounded by the narrow theatre of his age, but those of a scholar will be renewed in ages yet unborn, when the chieftain shall be forgotten." There remains now the more serious duty of meeting those whose standing in the profession of literature admits of no excuse for vulgar mistake, or flat injustice. The dignity of a reviewer, sitting in a conspicuous chair, clothed in a robe of Athenian grace, breathing an air of classical fragrance, mature in the nice estimate of language and its nice use, and pronouncing judgments as it were the judgments of an oracle, trusted of the people, no one may rashly assail.

It might be a "tickle point of niceness" to adjudge whether it were a safer inspiration which should flow from the clang of a brazen cauldron in the oak-groves of Dodona, or from the click of nickel pence in a book-market of Boston. But antiquity may sanctify the one with hoary seemliness, while truth confronts the other to its disgrace. We arraign *The Atlantic Monthly*, the organ of the same publishers who issued Mrs. Akers's volume of poems—a book that needs "Rock Me to Sleep" to float it—and who, in the guise of impartial reviewers, are only defending a copy-right of their own.

The reviewer raves in the same style of argument with which we are already familiar, raillery in the "Ercles vein," "with quips, and

\* Since the publication of the above, we note in the papers the death of a Major Huntly of Albany, under distressing circumstances, perhaps of aberration. It becomes proper to state that we have not the slightest knowledge of the man whose name was appended to the extraordinary letter here criticised, and our only object has been the perfectly valid one, to show from the face of the document itself that the writer was either insane, or under an extraordinary delusion; and consequently no responsible authority, though the *only* one, for the slander against Mr. Ball, of which such diligent use has been made, and will be made as long as there are those who have selfish or mercenary purposes to carry in spite of truth.

sentences, and paper bullets of the brain to awe a man." He has the same stale phraseology, "hopeless poetasting," and "driveling," again; "curious pysical study"—modern version of Junius's "matter of curious speculation"—"seven sleepers," etc. There is a slight difference. What in the other makes the "brain whirl," in this "strikes cold on the stomach," which is probably due to different modes of fast living. In the pitiful weakness of his anger, this oracle flies from his editorial chair of state to fling his whole basketful of waste paper into the face of Mr. Ball. The staple of his cry is: "Oh! ridiculous, ridiculous, and most ridiculous ridiculous, and yet again ridiculous, and after that all out of whooping!" All of the same spirit with that other of *The Times*—*arcades ambo, id est*, etc.—he strives to cover up the hopelessness of the claim he stands for, by *corrupting* the testimonies for the imposition of his readers, trusting that, not having Mr. Morse's pamphlet in their hands, or taking the trouble to compare, they will not detect the wrong to truth. For example, he says of the testimony of Mr. Hyde, that he fixes the time when he heard Mr. Ball read "Rock Me to Sleep" by the date of a paper which he *thinks* he called to draw up at Mr. Ball's residence *some time in the autumn* of 1859. The reviewers points this as a great joke on a legal gentleman. It would be if it were true. Not being so, it looms up grimly on the other side. What *does* Mr. J. Burrows Hyde say? "Some time in the autumn of 1859, *I think in the month of September*, I called on you," etc. "I am able to fix the date by that of the paper which was the subject of our interview!" The "think" applies to the *month*, and not to the *act* or year.

Again, two witnesses fix a date by referring to a season, 1856 or '57, when Mrs. Ball was absent, placing her daughter at school in Leroy. A school bill determined the time as February, 1857. "A time," the reviewer cries, in triumph, "when Mr. Ball was on his way to California." Mr. Morse makes it perfectly clear to any apprehension not determined to make things crooked. His words are: "In fact, the draft of the poem was read to these two ladies at that time, *just prior* to Mr. Ball's sailing for California." And, until it can be shown that a man can not both receive a visit from some friends, and start on his way to California, in any February of any year, we have the right to challenge the wits or the honesty of a shameless pettifogger like this.

Of the witness H. D. E. he says: "She is sorry that she can not remember, and then distinctly remembers." What she does say is: "I can not remember the exact date when I *first* heard it. I distinctly remember your reading it to me, and I *know* it was either in the year 1857 or '58." In repeating these statements, as he does each of them,

for emphasis of his argument, he only emphasizes his own blind passion and disregard of truth. Is the world, then, to take this as the chaste, scholarly criticism of Boston *dilettanti*, or is it the graceless trickery of hirelings? In the one case, it were better were it more exact; in the other, it were safer were it less gross! We must speak plainly. This severity has a warrant in its justice. This is not mere sharp practice that may have a cover for its deformity in its shrewdness—it is deliberate misstatement. After a rehash of the Hemans poem slander, the reviewer reaches his grand climax in the oracular decision that "Mr. Morse is the most impudent and absurd man in America."

And why, forsooth? Because he gave testimonies which could not be escaped save through the disgrace of prevarication. Truth is always impudence to two classes, fools and mercenaries. Galileo was once "the most impudent and absurd man" in all Rome.

So, another Morse (son of the aforementioned Rev. Dr. Jedidiah Morse) some score of years ago, as we remember, while experimenting with his coil, at the University, was esteemed by many the most impudent and absurd man in America—so much so as to be actually off the centre—till, ere long, his "absurd" theory took on the features of truth, and now its loss would make a mendless gap in the history, the business, and the comfort of the world.

Personal abuse, which an editor, safe behind the columns of which he is an autocrat, may dash off and scatter through the land, is a doubtful privilege, which may be tolerated when supposed to flow from a pure mind, warm in the maintenance of public literary interests. Yet if the hint of malice or of private interest shall pass upon it, it becomes mean by as much as the power is great and the offender hedged. Autocratic injustice for greed with cowardice—what a picture!

Was it a harsh man who said, "Our virtues disappear when put in competition with our interests"? A few more such shameful reviews in *The Atlantic Monthly*, and the public will catch the hint that its virtue in disinterested criticism is gone. The publishers have wares to sell! *Hinc illæ lachrymæ*. Its æsthetical standards, its fealty to the very honesty of literary criticism, must be gauged by the necessity or the greed of the publishing house below. If books grow dusty on the shelves, if a little plain truth told by some "most impudent and absurd man" makes them dustier still, the reviewer must descend from his high oracular seat and turn petty salesman for the nonce. If *The Monthly* is thus to be degraded to an advertising sheet, while the public may applaud the shrewdness of the business device, it will also adjust the value to be set on mercantile, not literary, opinions.

In the balances, they are to be weighed off against dollars and cents, instead of learning and culture.

What can the matter be with the Boston literary atmosphere? If that city is the Hub of the Universe, are Ticknor & Fields the *axe*? Can it afford to have its reputation for fair play shamed by such critiques as this? Can it tolerate a censorship of the press that excludes outside literature, which the magnates of Tremont street, either for public profit or private purse, ordain the people must not see? Can it tolerate the meanness of a press which could spread over its sheet the letter of Mrs. Akers, *taken from this article, on its first appearance, and give no hint of Mr. Ball's reply*? Does your sense of justice, O Boston! jump with this? Or are you such a set of nurslings that guardians must first prepare your literary pap, lest you eat indigestible food? Give us some freer air than that, where a man may plead his cause with men, and be HEARD.

We have done. In spite of the tremendous outbursts of laughter which may shake all the capitals of Europe to their foundations—in spite of the fury of Boston mercantile oracles, we claim to have shown that Mrs. Akers never wrote the poem, "Rock Me to Sleep," and that Mr. Ball is the only one before the world who is entitled to its honors. We believe likewise, that Messrs. Ticknor & Fields, after this exposure, however unfortunately they may have been deceived, can not continue to publish the poem as they do, except at the sacrifice of honor.

Neither can they save themselves from complicity in what has been proved to be a scurrilous article of their agent in *The Atlantic Monthly*, except by retraction and apology.

It is deemed proper to subjoin the poem upon which the present controversy hinges:

## ROCK ME TO SLEEP, MOTHER.

### I.

Backward, flow backward, O full tide of years!  
 I am so weary of toils and of tears—  
 Toil without recompense—tears all in vain,  
 Take them, and give me my childhood again.  
 I have grown weary of dust and decay—  
 Weary of flinging my heart's wealth away—  
 Weary of sowing for others to reap:  
 Rock me to sleep, mother, rock me to sleep.

### II.

Hushed be my sighing—I see through the mist  
 Loved ones that cheer me, and silently list:  
 Hark! 'tis the hymning of angelic song,  
 sad heart along;

Treading the grass that now weeps on your grave,  
Let me in spirit your sweet presence crave :  
This will now cheer me, no more will I weep,  
Rock me to sleep, mother, rock me to sleep.

## III.

Clouded and sabled, there come with my age  
Records of sadness, to soil the fair page—  
Footprints of sorrow to blot it all o'er,  
Thinking of those on the echoless shore.  
Only, I see you look down on me now,  
While humbly kneeling, at His cross I bow :  
Come then and dry up the tears I must weep,  
Rock me to sleep, mother, rock me to sleep.

## IV.

As stars in the day are concealed by the light,  
And darkness unavails them alone to the sight,  
So sleeping I see you, unseen when awake,  
And welcome, thrice welcome, is sleep for your sake.  
Soft are my slumbers, a glory of beams,  
Announcing your coming, illumines my dreams :  
Visit me nightly, and when I would weep,  
Rock me to sleep, mother, rock me to sleep.

## V.

Backward, turn backward, then, time, in your flight.  
Make me a child again just for to-night.  
Mother, come back from the echoless shore,  
Take me again to your heart as of yore,  
Kiss from my forehead the furrows of care,  
Smooth the few silver threads out of my hair ;  
Over my slumbers your loving watch keep,  
Rock me to sleep, mother, rock me to sleep.

## VI.

Over my heart in bright days that are flown,  
No love like mother love ever has shone—  
No other worship abides and endures,  
Faithful, unselfish, and patient like yours ;  
None like a mother can charm away pain  
From the sick soul and the world-weary brain ;  
Slumber's soft calms o'er my heavy lids creep,  
Rock me to sleep, mother, rock me to sleep.

## VII.

Tired of the hollow, the base, the untrue,  
Mother, dear mother, my heart calls for you ;  
Many a summer the grass has grown green,  
Blossomed and faded our faces between.



Yet with strong yearning and passionate pain,  
Long I to-night for your presence again ;  
Come from the silence, so long and so deep,  
Rock me to sleep, mother, rock me to sleep.

## VIII.

Mother, dear mother, the days have been long,  
Since I last hushed to your lullaby song ;  
Sing it, and unto my soul it shall seem,  
Manhood's long years have been only a dream.  
Clasped to your heart, in a loving embrace,  
With your light lashes just sweeping my face,  
Never hereafter to sigh or to weep,  
Rock me to sleep, mother, rock me to sleep.

## IX.

Come, let your brown hair, just lighted with gold,  
Fall on your shoulders again as of old—  
Let it fall over my forehead to-night,  
Shading my faint eyes away from the light :  
For with its sunny-edged shadows once more  
Fondly will throng the sweet visions of yore,  
Lovingly, softly, its charmed billows sweep—  
Rock me to sleep, mother, rock me to sleep.

## X.

Angelic mother, now tenderly smile,  
While the fond seraphs my soul shall beguile ;  
Shed o'er my pathway the spirit world's light,  
To guide and to cheer me, all through the night.  
I have grown weary of life's changing tide,  
Weary of weeping for hopes that have died ;  
Weary of climbing life's hill-side so steep—  
Rock me to sleep, mother, rock me to sleep.

## XI.

Tired of earth's mockery, and the world's strife,  
Tired of the penances paid for this life—  
Growing more weary of heartless display—  
Weary of world's night, I long for the day ;  
Let then your spirit encompass me now,  
While on your bosom in silence I bow,  
Tenderly watching my thoughts as they sweep,  
Rock me to sleep, mother, rock me to sleep.

## XII.

Thought can not linger around the cold tomb,  
Sweet spirit faces will break through its gloom,  
And when I wipe the fresh tear-drops away,  
Clouds turn to brightness, and roseate day

Breaks on my vision—then smiling again  
Peace spreads her gentle wings softly to reign,  
Voices celestial forbid me to weep :  
Rock me to sleep, mother, rock me to sleep.

## XIII.

Stilled are my tumults, I see in the sky  
Loved ones whose splendors have drowned every sigh,  
Faces familiar of friends here no more,  
Fairer and fonder than ever before—  
Glorified figures that stoop to caress,  
Mighty to comfort, and mighty to bless ;  
Bright is the vision—no more can I weep ;  
Rock me to sleep, mother, rock me to sleep.

## XIV.

Rock me to sleep, mother, rock me to rest ;  
Calmed with your smiling the storm in my breast  
Stilled are the sorrows you come to allay ;  
Teach me again as of old how to pray ;  
Contentions without, contentions within,  
Battlings with doubt, and temptation, and sin,  
Ceased with your presence, I can not now weep :  
Rock me to sleep, mother, rock me to sleep.

## XV.

Thus with my loved ones I'll watch by your side,  
Nor weep once again, whatever betide,  
Waiting all calmly the coming of those  
Holding the signet of death's cold repose ;  
Farewell to sorrow—farewell to all ill—  
Whispers are stealing, sad heart be now still—  
With my dear mother, kind watch I will keep,  
She charges the angels to rock me to sleep.













